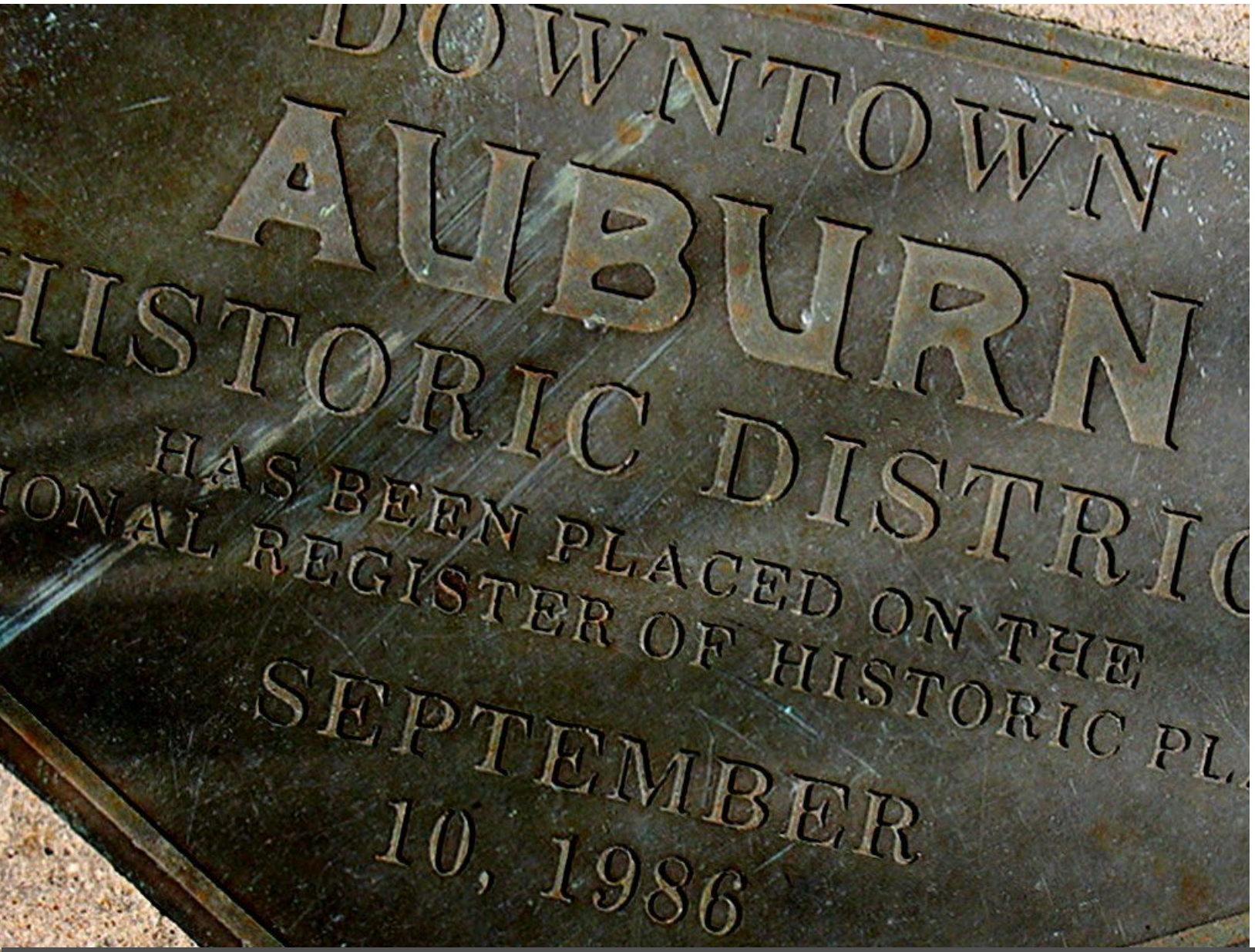


ISSUE DATE: XX/XX/2026

General Personnel Policy

CHAPTER
40

Dear Team,

It is my honor to welcome you to the City of Auburn's dedicated team of professionals. Whether you are joining us for the first time or have been part of our organization for years, I want you to know how much I value the important role you play in serving our community. Together, we make Auburn a place where residents thrive, businesses succeed, and visitors feel welcome.

It is my hope that this handbook serves as a valuable resource for you. It contains essential information about our policies, expectations, and benefits, as well as guidance to help you succeed in your role. Please take the time to read it carefully and keep it accessible for future reference.

Here in Auburn, we take pride in fostering a culture of professionalism, innovation, and collaboration. Our citizens expect the highest level of service, and each of you contributes to meeting and exceeding those expectations. Whether your work involves maintaining our infrastructure, supporting public safety, managing city services, or engaging with our community, your efforts make a difference every single day.

As Mayor, I want to emphasize a few guiding principles that are central to our mission:

1. **Integrity and Accountability**: We are committed to acting with honesty, transparency, and a sense of responsibility in all that we do.
2. **Teamwork and Respect**: Every employee plays a critical role in our success. By working together and respecting one another, we create a stronger, more unified city government.
3. **Innovation and Excellence**: We strive to find new ways to improve our services and deliver results that reflect our commitment to excellence.

I also want to encourage open communication across all departments. If you have new ideas, concerns, or feedback, don't hesitate to share them. Your input is invaluable as we work to improve our processes and serve Auburn's citizens more effectively.

Thank you for choosing to be part of our team here at the City of Auburn, and it is my privilege to serve as your Mayor. I look forward to continuing our shared mission of making Auburn a community we can all be proud of.

Let's keep building Auburn's future—together!

Sincerely,
Dave Clark
Mayor of Auburn

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INTRODUCTION

40.020 Mission Statement

The mission of Auburn City Government is to enhance the quality of life for the citizens of Auburn by providing services of the highest quality that are both efficient and cost effective.

40.040 Introductory Statements

For purposes of these work guidelines all employees will be referred to as "employee(s)." The City of Auburn, Indiana will be referred to as the "City of Auburn" or “the city”.

These work guidelines have been designed to acquaint employees with the City of Auburn and provide them with information about working conditions, employee benefits, and some of the policies affecting their employment. Employees are responsible to read, understand, and comply with all provisions of the handbook. It describes many of their responsibilities as an employee and outlines the programs developed by the City of Auburn to benefit employees. One of management’s objectives is to provide a work environment that is conducive to both personal and professional growth. Since employees may reside in Michigan, where Michigan employment laws differ from Indiana, it is noted within each policy.

No employee handbook may anticipate every circumstance or question about policy. As the City of Auburn continues to grow, the need may arise and the city reserves the right to revise, supplement, or rescind any policies or portion of the employee handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting employees or the City of Auburn to end our employment-at-will relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur and employees will be expected to acknowledge in writing they have received those changes. Nothing in this employee handbook will be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

40.060 Civilian Relations

Civilians are among the city's most valuable assets. Every employee represents the City of Auburn to both the civilians and the public. The way employees do their jobs presents an image of the entire city. Civilians judge all of the employees by how they are treated with each employee contact. Therefore, one of the first business priorities for all employees is to assist any civilian or potential civilian. Employees should not engage in arguments, debates, or lengthy discussions with civilians regarding the City of Auburn’s policies, procedures, or services. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention employees give to civilians. Any employee who receives a complaint from a civilian should refer the individual to a Department Head, or the Mayor’s Office.

Personal contact with the public, manners on the telephone, and the communications sent to civilians are a reflection not only of each employee, but also of the professionalism of the City of Auburn. Positive civilian relations not only enhance the public's perception or image of the city, but also pay off in greater civilian loyalty.

EMPLOYMENT

40.101 Nature of Employment

Employment with the City of Auburn is voluntarily entered into, and employees are free to resign at will at any time, with or without cause. Similarly, the City of Auburn may terminate the employment-at-will relationship at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the city and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the city's sole discretion and in accordance with applicable federal and state laws.

Supervisory responsibilities defined in this employee handbook may be designated as "the Department Head, the Clerk-Treasurer, or the Mayor" since these are the primary supervisory positions with responsibility for employees who report to them. Department Heads, the Clerk-Treasurer, or the Mayor may also designate employees within each department as a Supervisor who will carry out supervisory responsibilities, as assigned. This designation does not imply that employees should bypass the normal organizational structure by contacting the Human Resources Director, the Clerk-Treasurer, or the Mayor for additional information regarding policies, instead of their Department Head.

All Civilian Employees
In applying this handbook uniformly, employees who do not work in the Clerk-Treasurer's Office, and who are not in a public safety job for the city, are to report to and request information from their direct Department Head, as appropriate. With this being said, all policies and procedures within the employee handbook apply to civilian employees. Department Heads have the authority for employment-related actions to include hiring, evaluating, disciplining, training, and terminating employees within their department. However, some employment-related actions require the approval of the Mayor and in certain circumstances, the Board of Public Works & Safety.

Board of Public Works & Safety
The Board of Public Works & Safety is responsible for overseeing a variety of tasks within the City of Auburn to include the Fire and Police Departments. It is the responsibility of the Board of Public Works & Safety to make sure that all departments are compliant with federal, state, and local employment-related laws in accordance with policies as outlined in the employee handbook. Board of Public Works & Safety members are not subject to the policies and procedures as outlined in the employee handbook, as they are not employees of the City of Auburn.

Common Council
The City of Auburn Common Council acts as the legislative and fiscal body of the city. The Common Council members are elected officials who are not subject to the policies and procedures as outlined in the employee handbook, as they are not employees of the City of Auburn. However, the members of the Common Council consist of the governing body who make rational and consistent decisions with regards to the finances and employees of the city who are subject to the policies and procedures as outlined within the employee handbook. It is the responsibility of all Common Council members to make sure that the City of Auburn is legally compliant with all federal, state, and local employment-related laws in accordance with policies as outlined in the employee handbook.

Clerk-Treasurer's Office
In applying this handbook uniformly, employees of the Clerk-Treasurer's Office report directly to the Clerk-Treasurer who has the sole authority to hire, train, evaluate, set policy, and determine employment status of the employees within the office. With this being said, all policies and procedures within the employee handbook apply to the employees who work in the Clerk-Treasurer's Office. The Clerk-Treasurer is an elected official and none of the policies in the employee handbook apply to, nor does the individual directly report to the Common Council. The Common Council only makes the determination as to how much to allow for funding within the Clerk-Treasurer's Office. The Clerk-Treasurer serves as the Clerk and Secretary to the Common Council and the Board of Public Works & Safety, and is responsible for the fiscal affairs of the city.

Fire Department Employees
When the policies and procedures that are contained in the City of Auburn Fire Department Standard Operating Guidelines (SOGs) differ from what is written in this employee handbook, those policies and procedures will prevail. The Fire Chief reports directly to the Mayor and serves at the discretion of the Mayor. The Board of Public Works & Safety is the only body (other than a Court of Appeal) authorized to hear disciplinary action charges against the public safety employees within the Fire Department. For purposes of policies within this employee handbook the Fire Chief is referred to as a Department Head.

Mayor's Office
The Mayor is responsible for the overall operation of the city government. This individual is the Chief Executive and is primarily responsible for the day-to-day operations of the city and for the appointment of Department Heads. Department Heads are appointed to manage and supervise each internal department within the city, including Auburn Essential Services (AES), Building, Business Development, Engineering, Fire, Human Resources, Information Systems, Parks & Recreation, Planning & Development, Police, and Utilities Departments. The Mayor also selects and appoints the members of the Board of Public Works & Safety who are responsible for the adoption and oversight of employee policies and procedures. The Mayor is an elected official and none of the policies in the employee handbook apply to, nor does the individual directly report to the Common Council. All Department Heads report directly to the Mayor.

Police Department Employees
When the policies and procedures that are contained in the City of Auburn Police Department Standard Operating Procedures (SOPs) differ from what is written in this employee handbook, those policies and procedures will prevail. The Police Chief reports directly to the Mayor and serves at the discretion of the Mayor. The Board of Public Works & Safety is the only body (other than a Court on appeal) authorized to hear disciplinary action charges against the public safety employees within the Police Department. For purposes of policies within this employee handbook the Police Chief is referred to as a Department Head.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Board of Public Works and Safety and Common Council.

40.102 Employee Relations

The City of Auburn believes that the working conditions, wages, and benefits it offers to its employees are competitive with those offered by other municipal employers in this area. If employees have concerns regarding working conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their Department Head, the Clerk-Treasurer, the Human Resources

Director, or the Mayor.

When employees deal openly and directly with their Department Head, the Clerk-Treasurer, or the Mayor, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the city amply demonstrates its commitment to employees by responding effectively to employee concerns.

40.103 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City of Auburn will be based on merit, qualifications, and abilities. The City of Auburn does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state, and local laws.

The City of Auburn will provide reasonable accommodations for qualified individuals with known disabilities or for a sincerely held religious belief, as required by law, unless doing so would result in an undue hardship for the city. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees are encouraged to contact their Department Head, the Clerk-Treasurer, the Human Resources Department, or the Mayor with questions or concerns regarding any type of discrimination in the workplace. Employees may raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination may be subject to disciplinary action, up to and including termination of employment.

Michigan
The Michigan Civil Rights Act (MCRA) prohibits discrimination on the basis of height, weight, and marital status. Unlike the federal law governing age discrimination, individuals under the age of 40-years old may pursue age discrimination claims and the act prohibits discriminating in favor of older employees. Additionally, marital status is a protected category in MCL 32.2202.

40.104 Business Ethics and Conduct

The successful business operation and reputation of the City of Auburn is built upon the principles of fair dealing and ethical conduct of all employees. The City of Auburn’s reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the City of Auburn is dependent upon citizens' trust and a dedication to preserving that trust. Employees owe a duty to the City of Auburn and its citizens to act in a way that will merit the continued trust and confidence of the public.

The city will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action the matter should be discussed openly with the Department Head, the Clerk-Treasurer, the Human Resources Department, and, if necessary, with the

Mayor for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every city employee. Disregarding or failing to comply with this standard of business ethics and conduct may lead to disciplinary action, up to and including termination of employment.

40.105 Nepotism in the Workplace

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment may be carried over into day-to-day working relationships. Accordingly, the City of Auburn follows Indiana Code (IC) 36-1-20.2 with regards to nepotism.

For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or step-child), brother or sister, stepbrother or stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law.

“Employed” means an individual who is employed by the City of Auburn on a full-time, part-time, or temporary basis. The term does not include an individual who holds an elected office. The term includes an individual who is a party to an employment contract with the City of Auburn. The performance of the duties of a precinct election officer, as defined in Indiana Code (IC) 3-5-2-40.1 that are imposed by IC Title 3 is not considered employment by the city.

“Direct line of supervision” is defined as an elected officer, e.g., the Clerk-Treasurer, the Mayor, or a member of the Common Council, or an employee who is in a position to affect the terms and conditions of another employee’s employment, including making decisions regarding work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of the City of Auburn, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the city.

Individuals who are relatives may not be employed by the City of Auburn in a position that results in one relative being in the direct line of supervision of the other relative. This applies to an individual who is employed by the City of Auburn on the date that the employee’s relative begins serving a term of an elected office, e.g., the Clerk-Treasurer, the Mayor, or a member of the Common Council and is not exempt from the application under exemptions of the policy. This policy does not end or affect an employment contract with the city that: an individual is party to; and is in effect on the date the employee’s relative begins serving a term of an elected official, e.g., the Clerk-Treasurer, the Mayor, or a member of the Common Council.

Employees who are employed by the City of Auburn on July 1, 2012, are not subject to this policy unless they have had a break in employment with the city. The following are not considered a break in employment: the employee is absent from the workplace while on paid or unpaid leave, including any paid time off, medical leave, or workers’ compensation and the employee’s employment with the city is terminated followed by immediate reemployment by the City of Auburn, without loss of payroll time.

Employees seeking additional information about nepotism in the workplace may contact their Department Head, the Clerk-Treasurer, the Human Resources Department, or the Mayor.

40.106 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required in certain job categories. After an offer has been made to an applicant entering a designated job category, a medical examination may be performed at the city's expense by a health professional of the city's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam and a satisfactory or negative drug test. Routine medical examinations for current employees of the Fire Department and the Police Department may be required. Department of Transportation (DOT) required annual medical examinations and drug screens are completed quarterly for all employees in safety sensitive jobs.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially in accordance with the Health Insurance Portability and Accountability Act (HIPAA). Refer to Policy #40.214 – Medical Information Privacy for additional information.

Employees seeking additional information about employee medical exams may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.107 Immigration Law Compliance

The City of Auburn is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed a Form I-9 with the City of Auburn within the past three-years, or if their previous Form I-9 is no longer retained or valid. In addition, the City of Auburn utilizes E-Verify, an Internet-based system that compares information from an employee's Employment Eligibility Verification Form I-9, to data from U.S. Department of Homeland Security and the Social Security Administration records to confirm employment eligibility.

The Form I-9 may be completed by the employee prior to their first day of work, but federal law requires that this form be completed no more than three-days after the employee starts their employment. Failure to complete this form will cause the employee not to be established as an employee with the City of Auburn and they will not be able to be paid through the City of Auburn's payroll system until the form is properly completed.

Employees seeking additional information about immigration law compliance may contact the Human Resources Department. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

40.108 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City of Auburn wishes to operate. The purpose of these guidelines is to provide general direction so that employees may seek additional clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the Common Council. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that may be interpreted to involve unusual gain require specific approval from the Common Council.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a dependent as a result of the city's business dealings. For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or stepchild), a brother or sister, stepbrother or stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law. "Elected official" refers to the Clerk-Treasurer, the Mayor, a member of the Common Council, or any other elected city official.

The City of Auburn may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an elected official or a business entity that is wholly or partially owned by a relative of an elected official. The City of Auburn may also enter into a contract or renew a contract with an individual or business entity if all of the following are satisfied: the elected official files with the City of Auburn a full disclosure, which must be in writing, describe the contract or purchase to be made, describe the relationship that the elected official has to the individual or business entity that contracts or purchases, be affirmed under penalty of perjury, be submitted to the Common Council and be accepted by the Common Council in a public meeting prior to final action on the contract or purchase and be filed, not later than 15-days after final action on the contract or purchase with the State Board of Accounts and the Clerk of the Circuit Court in the county where the City of Auburn takes final action on the contract or purchase. The appropriate agency of the City of Auburn must make a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered or make a certified statement of the reasons why the vendor or contractor was selected. In addition, the City of Auburn must satisfy all other requirements under Indiana Code (IC) 5-22 or IC 36-1-12. The elected official complies with the disclosure provision of IC 35-44-1-1-4, if applicable. This does not affect the initial term of a contract in existence at the time the term of office of the elected official of the City of Auburn begins.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the Human Resources Department, or the Mayor's Office as soon as possible the existence of any actual or potential conflict of interest so that safeguards may be established to protect all parties.

While this policy is comprehensive it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment.

Employees seeking additional information about conflicts of interest may contact the Human Resources Department, or the Mayor's Office.

40.110 Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their job with the City of Auburn. All employees will be judged by the same performance standards and will be subject to the City of Auburn's scheduling demands, regardless of any existing outside work requirements.

If the City of Auburn determines that an employee's outside work interferes with performance or the ability to meet the business requirements of the City of Auburn as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain as an employee with the city.

Employees may not perform any work during scheduled working hours that is not related to their job with the City of Auburn. This includes employees performing private work for themselves, another employee, or a non-employee.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the City of Auburn for materials produced or services rendered while performing their jobs. Refer to Policy #40.108 – Conflicts of Interest for additional information.

Employees seeking additional information about outside employment may contact the Human Resources Department, or the Mayor’s Office.

40.112 Non-Disclosure

The protection of confidential information is vital to the interests and the success of the City of Auburn. Indiana Code (IC) 5-14-3-4 states what is considered to be public record and the City of Auburn will comply with all guidelines. Such confidential information includes information acquired in the course of one’s work, and may include:

- Computer processes
- Computer programs and codes
- Facilities security information
- Financial information
- Marketing strategies and related information
- Pending projects and proposals
- Citizen and local business preferences, lists and related information
- Technological data
- Vendor and supplier lists and related information

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose trade secrets or confidential business information may be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

40.114 Disability Accommodations

The City of Auburn is committed to complying fully with the Americans with Disabilities Act and its Amendments Act (ADAAA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis in accordance with both federal and state laws.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, benefits, and training.

The City of Auburn is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The City of Auburn will follow any state or local law that provides individuals with disabilities greater protection than the ADAAA.

Pregnant Worker's Fairness Act (PWFA)
The PWFA prohibits employment practices that discriminate against making reasonable accommodations for qualified employees affected by pregnancy, childbirth, or related medical conditions. A qualified employee under the Act is an employee or applicant who, with or without reasonable accommodation, is able to perform the essential functions of the job, as long as the inability to perform the essential functions is temporary due to pregnancy, childbirth, or a related medical condition. The PWFA declares that it is an unlawful employment practice to:

- Fail to make reasonable accommodations to known limitations of qualified employee unless the accommodation would impose an undue hardship on the organization's operation;
- Require a qualified employee affected by such condition to accept an accommodation other than any reasonable accommodation arrived at through an interactive process;
- Deny employment opportunities based on the need of the organization to make such reasonable accommodations to a qualified employee;
- Require such employees to take paid or unpaid leave if another reasonable accommodation may be provided;
- Take adverse action in terms, conditions, or privileges of employment against a qualified employee requesting or using such reasonable accommodations; or
- Retaliate against individuals engaging in protected activity under the Act.

This policy is neither exhaustive nor exclusive. The City of Auburn is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADAAA and all other applicable federal, state, and local laws.

Employees seeking additional information about disability accommodations may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department. Employees may raise questions or complaints about the ADAAA compliance without fear of reprisal.

40.115 Lactation Accommodations

The City of Auburn supports breastfeeding employees by accommodating the employee who wishes to express milk during their workday when separated from their newborn child. As part of the PUMP Act any employee who is breastfeeding will be provided unlimited breaks to express milk for their newborn for up to one-year from the date of the birth of the child. Employees must be completely relieved from duty or be paid for the break time (in the same manner that other nonexempt employees are paid for normal break periods). Also, a reasonable place to express milk, other than a restroom, will be provided for the employee. The employee and their Department Head will agree on the times for these breaks. In addition, the City of Auburn will provide an area for the milk to be stored.

Employees seeking additional information about lactation accommodations may contact the Human Resources Department.

40.116 Job Postings

The City of Auburn makes every effort to post a job internally when one becomes vacant and is approved by the Mayor and the Human Resources Director to be filled. Vacant jobs may be posted on the city's website, and on Internet job boards, as needed. All job postings will specify the job title, nature of the job, required qualifications, essential functions of the job, compensation range, application deadline, and the place to file an application.

Any employee may apply for a posted vacancy provided they possess the requisite minimum qualifications. Criteria used in evaluating an applicant's qualifications may include performance evaluations, aptitude, attendance records, education, training, prior work experience history, physical and mental fitness, and length of service with the city. Current employees who have an interest in the open position may complete an application in the Human Resources Department.

In the event that no qualified employees apply, or a Department Head and the Mayor determines that such positions should be filled from the outside, the Department Head and the Mayor may do so. Department Heads are responsible for reviewing applications in coordination with the Human Resources Department.

All applications will be kept in the Human Resources Department for a period of three-years from the date of application, in accordance with the State of Indiana's records retention schedule. The Mayor's Office has the sole authority to approve all recommendations for the hiring of either external candidates or internal employees to fill vacant jobs within the city.

Employees seeking additional information about job postings may contact their Department Head, the Clerk-Treasurer's Office, or the Human Resources Department.

EMPLOYMENT STATUS & RECORDS

40.201 Employment Categories

It is the intent of the City of Auburn to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment-at-will relationship at any time is retained by both the employee and the City of Auburn.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. Exempt employees are paid on a salary basis that does not vary from week to week based upon the quality or quantity of work performed. In other words, exempt employees are paid "to get the job done." Thus, an exempt employee's pay will not be reduced in any fashion for partial day absences, except when permitted by law, such as unpaid intermittent FMLA leave. Any deductions from an exempt employee's salary will be in compliance with acceptable parameters for such deductions.

For example, the following types of deductions are permissible with regard to exempt employees' pay:

- No work is performed in a workweek;
- Absences of one or more full days for personal reasons other than sickness or disability if all unused paid time off, e.g., vacation benefits, sick leave benefits, or personal days have been exhausted;
- Fees received by the employee for jury or witness duty or military leave may be applied to offset the pay otherwise due to the employee for the week;
- Penalties imposed by infractions of safety rules of major significance;
- Unpaid disciplinary suspensions of one or more full days in accordance with the city's disciplinary policy;
- Deductions for the first and last week of employment, when only part of the week is worked by the employee; and
- Deductions for unpaid leave taken in accordance with an approved absence under the Family and Medical Leave Act.

Complaint Procedure
Employees who believe their pay has been improperly reduced should immediately contact the Human Resources Department. The City of Auburn will investigate the employee's concern and determine whether an inadvertent improper deduction has been made. If the deduction was in fact improper, the City of Auburn will reimburse the employee on the next regularly scheduled pay date. The City of Auburn complies with all applicable laws concerning the payment of wages and will correct any inadvertent improper deduction should it occur and monitor the situation to ensure no further issues arise.

An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the Common Council.

1. **Exempt Salary Employees:** There four (4) classifications of exempt salary employees: Executive, Administrative, and Professional, and Learned Professional. These employees are exempt from the overtime requirements of the Fair Labor Standards Act. Other employees may be classified as exempt salaried employees on a case-by-case basis. Exempt salary employees are expected to work a regular schedule of five workdays, without regard to the number of hours per day or per week. As an exempt employee, hours of service to the City of Auburn will fluctuate depending upon service demands.

    a. **Executive:** Those employees who have as their primary duty the management of the city itself or a particular department within the city. Exempt employees regularly direct the work of two or more full-time employees which may include: interviewing, selecting, training and evaluating, handling complaints, and imposing discipline; planning and assigning work; and determining the techniques to be used.
    b. **Administrative:** Those employees who have as their primary duty the performance of office or non-manual work directly related to management policy or general city operations; and customarily and regularly have the day-to-day authority to make independent choices from immediate direction of supervision with respect to matters of significance.
    c. **Professional:** Those employees who have as their primary duty work requiring advanced knowledge of a type required through specialized study; and their work requires the consistent exercise of discretion and judgment.
    d. **Learned Professional:** Those employees who have as their primary duty work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction.

2. **Administrative Non-Exempt Employees:** Those employees whose positions are part time or full time administrative, clerical, or support staff in nature and who are paid based on an established per hour basis. These employees are not exempt from the Fair Labor Standards Act, and do receive overtime pay at the rate of time and one half for all hours worked in excess of 40 per week.

3. **Hourly Employees:** Those employees who are part time or full time and paid based on an established per hour basis. These employees are not exempt from the Fair Labor Standards Act, and do receive overtime pay at the rate of time and one-half for all hours worked in excess of 40 per week.

4. **Law Enforcement & Fire Protection Employees:** Those employees who are paid according to special rules under the Fair Labor Standards Act and defined as Public Safety and Emergency Personnel.

5. **Others**: Those individuals who are not full-time, but are paid a nominal payment. These individuals may include, but are not limited to Volunteer Firefighters, Police Reserves, and Board Members.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work a full-time schedule of 30-hours per week. Generally, they are eligible for the City of Auburn's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 30-hours per week. Regular part-time employees may be eligible for some benefits sponsored by the City of Auburn, subject to the terms, conditions, and limitations of each benefit program.

PROBATIONARY employees are those Fire and Police Department employees whose performance is being evaluated to determine whether further employment is appropriate. Refer to Policy #40.205 – Probationary Period for additional information.

TEMPORARY or SEASONAL employees are those who are hired as interim replacements, to temporarily supplement the workforce, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits such as workers' compensation insurance and Social Security, they are ineligible for all of the City of Auburn's other benefit programs.

40.202 Access to Personnel Files

The City of Auburn maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance evaluations and salary increases, and other employment-related records.

Personnel files are the property of the City of Auburn and access to the information they contain is

restricted. Generally, only Department Heads and management employees of the City of Auburn who have a legitimate reason to review information in a file are allowed to do so.

Employees may contact the Human Resources Department if they wish to review their personnel file. With reasonable advance notice, employees may review their own personnel file in the Human Resources Department and in the presence of an individual appointed by the City of Auburn to maintain the files.

Michigan
Employees who reside in Michigan may, upon written request, review their personnel records at reasonable intervals, generally not more than twice a year. They also may obtain copies, but the city may charge the employee the actual cost of making the copies.

40.203 Background Checks

The City of Auburn conducts background checks for all new hires, and certain positions within the city. The purpose of these background checks is to confirm and supplement personal information about qualifications, experience, and character, and assist the City of Auburn in determining suitability for continuing employment, driving privileges, and work assignments. These checks may be performed at any time during the employment relationship. Continued employment for new and current employees is contingent upon acceptable results of these routine background checks. Employees will be required to complete the necessary documentation to authorize the background checks. Refusal to execute this documentation may result in disciplinary action, up to and including termination of employment.

The Human Resources Department will respond to those background check inquiries that are submitted in writing, over the phone, and by email. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written authorization and release signed by the individual.

40.204 Personnel Data Changes

It is the responsibility of each employee to promptly notify the City of Auburn of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, recent educational accomplishments, and other such status reports should be accurate and current at all times. If any personal data has changed, employees should notify the Human Resources Department. Any unreported changes in personal status may impact an employee’s eligibility under some of the city’s benefits.

40.205 Probationary Period

New employees in the Fire and Police Departments will have a one-year (365-day) probationary period from the initial date of their employment. The City of Auburn uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the City of Auburn may end the employment-at-will relationship at any time during the probationary period, with or without cause or advance notice. Upon satisfactory completion of the probationary period, employees enter the “regular” employment classification and will be entitled to the rights and protections, if any, afforded to a Firefighter or Police Officer pursuant to the Indiana Code (IC) 36-8-4-12.

During the probationary period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other City

of Auburn provided benefits, subject to the terms and conditions of each benefit program. Employees should read each Summary Plan Description (SPD) for each specific benefit program for additional information on eligibility requirements.

40.208 Falsification of Employment Applications

The City of Auburn relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

40.209 Performance Evaluations

Department Heads and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A formal written performance evaluation may be conducted annually and planning sessions may be conducted on a quarterly basis. At the discretion of the Department Head, the Clerk-Treasurer, the Mayor, or their designee, additional formal performance evaluations and planning sessions may be conducted to provide employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

All employee performance evaluations are the property of the city and will be kept in employee personnel files.

40.210 Job Descriptions

The City of Auburn makes every effort to create and maintain job descriptions for positions within the municipality to aid in establishing hiring criteria, identifying the requirements of each position, orienting new employees to their jobs, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

Department Heads, the Clerk-Treasurer, and the Human Resources Director prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up-to-date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees are expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

In the event that the minimum requirements and qualifications of a job are changed, it will be the sole responsibility of the employee to meet, and then maintain, the new requirements within a reasonable period of time. Employees failing to maintain the minimum requirements and qualifications of their job, or satisfactorily perform tasks in an agreed upon amount of time may be subject to demotion in position, provided a vacancy exists in a job for which the employee is qualified, or termination if no such vacancy exists. The city has no obligation to create a vacancy for an employee failing to maintain the minimum qualifications of their job.

An employee who is demoted in position shall receive the rate of pay for the job to which that employee is demoted. All employees are expected to make reasonable and diligent efforts to maintain the qualifications of their current job classification.

Based upon the needs of the city as determined by the Department Head, or the Human Resources Department, the city may transfer permanently or temporarily employees from one department to another, and may, in its sole discretion, add or delete job duties assigned to employees.

Job descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary. Employees may contact their Department Head, if they have any questions or concerns about their job description. Job descriptions will be kept in the Human Resources Department.

40.214 Medical Information Privacy

This Medical Information Privacy policy describes how health information about employees may be used and disclosed by the City of Auburn and how employees may obtain access to this information. The City of Auburn is committed to maintaining and protecting the confidentiality of employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Clerk-Treasurer is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the health plans of the City of Auburn that are covered by privacy regulations, e.g., the medical, dental, and vision insurance plans (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of employees' individually identifiable health information and other personal information and to provide employees with notice about their policies, safeguards, and practices. When the Benefit Plans use or disclose employees' protected health information, the Benefit Plans are bound by the terms of this policy, or a revised policy, if applicable.

The Benefit Plans will not use employees' protected health information or disclose it to others without the employees' authorization, except for the following purposes:

Treatment - The Benefit Plans may disclose an employee's protected health information, or an employee's covered dependents' protected health information, to a health care provider or administrator for its provision, coordination, or management of the employees' health care and related services. For example, prior to providing a health service to an employee, the employee's doctor may ask for information concerning whether and when the service was previously provided to the employee. The Benefit Plans may use and disclose an employee's protected health information for treatment activities of a healthcare provider.

Payment - The Benefit Plans may use and disclose an employee's protected health information to facilitate payment of premiums for an employee's coverage, and to determine and fulfill their responsibility to provide an employee's medical, dental, and vision insurance benefits. For example, an employee's protected health information may be used to make coverage determinations, administer claims, and coordinate benefits with other coverage employees may have. The Benefit Plans may also disclose an employee's protected health information to a health plan or administrator to determine an employee's eligibility for coverage, or for the health care provider to obtain payment for health care services provided to the employee.

Health Care Operations - The Benefit Plans may use and disclose an employee's protected health information for their health care operations, or the health care operations of a third-party administrator of the Benefit Plans. For example, the Benefit Plans may use protected health information to conduct quality assessment and improvement activities. Other health care operations may include providing appointment reminders or sending an employee's information about treatment alternatives or other

health-related benefits and services. The Benefit Plans also may disclose an employee's protected health information to another health plan or provider that has a relationship with an employee, to conduct quality assessment and improvement activities (for example, to perform case management).

Disclosure to Employer or Operating Company - The Benefit Plans may disclose an employee's protected medical information to the City of Auburn, or to a company acting on the behalf of the City of Auburn, to monitor, audit, and otherwise administer the employee medical, dental, and vision insurance plans in which employees participate. The City of Auburn and its operating companies are not permitted to use protected health information for any purpose other than administration of an employee's medical, dental, and vision insurance benefits. The Benefit Plans will not disclose protected health information to the City of Auburn for the purposes of employment-related actions or decisions, or in connection with any other benefit or employee benefit plan. The Benefit Plans will identify employees who are authorized to receive and use protected health information.

Disclosure to Health Care Vendors and Accreditation Organizations - The Benefit Plans may disclose an employee's protected health information to companies with whom they contract, if they need it to perform requested services. For example, the Benefit Plans may provide protected health information to vendors who provide important information and guidance to plan members with chronic conditions such as diabetes and asthma. Protected health information may be disclosed to accreditation organizations such as the National Committee for Quality Assurance (NCQA) for quality measurement purposes. When the Benefit Plans enter into these arrangements, they will obtain a written agreement to protect an employee's protected health information.

Public Health Activities - The Benefit Plans may disclose an employee's protected health information for the following public health activities and purposes: 1) to report health information to public health authorities that are authorized by law to receive such information for the purpose of controlling disease, injury, or disability; 2) to report child abuse or neglect to a government authority that is authorized by law to receive such reports; 3) to report information about a product or activity that is regulated by the U.S. Food and Drug Administration (FDA) to a person responsible for the quality, safety, or effectiveness of the product or activity; and, 4) to alert a person who may have been exposed to a communicable disease, if the Benefit Plans are authorized by law to give this notice.

Health Oversight Activities - The Benefit Plans may disclose an employee's protected health information to a government agency that is legally responsible for oversight of the health care system or for ensuring compliance with the rules of government benefit programs, such as Medicare or Medicaid, or other regulatory programs that need health information to determine compliance.

For Research - The Benefit Plans may disclose an employee's protected health information for medical research purposes, subject to strict legal restrictions.

To Comply with the Law - The Benefit Plans may use and disclose an employee's protected health information to comply with the law.

Judicial and Administrative Proceedings - The Benefit Plans may disclose an employee's protected health information in a judicial or administrative proceeding or in response to a legal order.

Law Enforcement Officials - The Benefit Plans may disclose an employee's protected health information to the police or other law enforcement officials, as required by law or in compliance with a court order or other process authorized by law.

Health or Safety - The Benefit Plans may disclose an employee's protected health information to prevent or lessen a serious and imminent threat to the employee's health or safety or the health and safety of the general public.

Government Functions - The Benefit Plans may disclose an employee's protected health information to various departments of the government such as the U.S. Military, or the U.S. Department of State.

Workers' Compensation - The Benefit Plans may disclose an employee's protected health information when necessary to comply with workers' compensation laws.

Other - The Benefit Plans may disclose an employee's protected health information when necessary to file claims with re-insurers or stop-loss carriers, or to obtain coverage with re-insurers or stop-loss carriers. The Benefit Plans may also disclose an employee's protected health information to subrogation vendors to recoup payments made by the Benefit Plans that were reimbursed by other insurance arrangements.

Uses and Disclosures with an Employee's Written Authorization - The Benefit Plans will not use or disclose an employee's protected health information for any purpose other than the purposes described in this policy without the employee's written authorization. For example, the Benefit Plans will not supply protected health information to another company for its marketing purposes or to a potential employer with whom an employee is seeking employment without the employee's signed authorization. Employees may revoke an authorization that has previously been given by sending a written request to the Human Resources Department, but not with respect to any actions the Benefit Plans have already taken.

Employees may request restrictions on the use and disclosure of the employee's protected health information for the treatment, payment, and health care operations purposes explained in this policy. While the Benefit Plans will consider all requests for restrictions carefully, the Benefit Plans are not required to agree to a requested restriction.

Employees may ask to receive communications of their protected health information from the Benefit Plans by alternative means of communication or at alternative locations. While the Benefit Plans will consider reasonable requests carefully, they are not required to agree to all requests.

Employees may ask to inspect or to obtain a copy of their protected health information that is included in certain records the Benefit Plans maintain. Under limited circumstances, the Benefit Plans may deny employees access to a portion of their records. If employees request copies, the Benefit Plans may charge employees copying and mailing costs.

Employees have the right to ask the Benefit Plans to amend protected health information that is contained in the Benefit Plans records. If the Benefit Plans determine that the record is inaccurate, and the law permits the Benefit Plans to amend it, the Benefit Plans will correct it. If the employee's doctor or another person created the information that the employee wants to change, the employees should ask that person to amend the information.

Upon written request, employees may obtain an accounting of disclosures the Benefit Plans have made of their protected health information. The accounting that the Benefit Plans provide will not include disclosures made before April 14, 2003, disclosures made for treatment, payment or health care operations, disclosures made earlier than six-years before the date of the request, and certain other disclosures that are exempted by law. If employees request an accounting more than once

during any 12-month period, the Benefit Plans may charge those employees a reasonable fee for each accounting statement after the first one.

Employees may contact the Human Resources Department to obtain a paper copy of this policy, even if the employees previously agreed to receive notices electronically. Employees must also contact the Human Resources Department, if they wish to make any of the requests listed above.

If employees want additional information about privacy rights, do not understand their privacy rights, are concerned that the Benefit Plans have violated their privacy rights, or disagree with a decision that the Benefit Plans made about access to protected health information, they may contact the Human Resources Department. Employees may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. The City of Auburn will not take any action against employees if they file a complaint.

The City of Auburn may change the terms of this policy at any time. If the City of Auburn changes this policy, the city may make the new policy terms effective for all protected health information that the Benefit Plans maintain, including any information the Benefit Plans created or received before the City of Auburn issued the new policy. If the City of Auburn makes any changes to the Medical Information Privacy policy, notice of the changes will be provided to employees.

40.216 Social Security Number Policy

To protect employees' personal information, the City of Auburn prohibits the use of employees' Social Security numbers for identification purposes, except as allowed by federal and state laws. The City of Auburn will not:

- Publicly post or publicly display in any manner an employee's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- Print an employee's Social Security number on any card required for the employee to access products or services provided by the City of Auburn.
- Require an employee to transmit their Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- Require an employee to use their Social Security number to access an Internet website, unless a password or unique personal identification number or another authentication device is also required to access the Internet website.
- Print an employee's Social Security number on any materials that are mailed to the employee, unless law requires the Social Security number to be on the document to be mailed.

However, Social Security numbers may be included in benefits applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy, or to confirm the accuracy of the Social Security number.

In instances where the City of Auburn previously used an employee's Social Security number in a manner inconsistent with this policy, it will continue using that employee's Social Security number in that manner, if all of the following conditions are met:

- The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.

- The employee is provided an annual disclosure that informs the employee that they have the right to stop the use of their Social Security number in a manner prohibited by those conditions listed above.

A written request by an employee to stop the use of their Social Security number in a prohibited manner will be implemented within 30-days of the receipt of the request. There will be no fee or charge for implementing the request. The City of Auburn will not deny services to an employee because the employee makes a written request to stop the use of their Social Security number.

The City of Auburn will continue to collect, use, or release Social Security numbers as required by federal or state law, and may use Social Security numbers for internal verification or administrative purposes.

Employees seeking additional information about this policy, or who feel that their Social Security number has been used inappropriately may contact the Human Resources Department.

EMPLOYEE BENEFIT PROGRAMS

40.301 Employee Benefits

Benefits eligibility is dependent upon a variety of factors, including employee classification. The Human Resources Department may identify the programs for which employees are eligible. Details of many of these programs may be found elsewhere in the employee handbook.

The following benefit programs may be available to eligible employees:

- Benefits Continuation (COBRA)
- Bereavement Leave
- Clothing/Uniform Allowances
- Employee Assistance Program (EAP)
- Family and Medical Leave Act (FMLA)
- Group Life Insurance
- Health Insurance
- Holidays
- Indiana Child Educational Activities Leave
- Indiana Public Retirement System (INPRS)
- Indiana Public Retirement System (INPRS) 1977 Fund
- Indiana Military Family Leave
- Jury Duty
- Licensing/Certification/Membership Dues
- Longevity Pay
- Military Leave
- Personal Days
- Personal Leave
- Sick Leave Benefits
- Short-Term Disability (STD) Insurance
- Time Off to Vote
- Vacation Benefits
- Voluntary Benefits
- Witness Duty
- Workers' Compensation Insurance
- 457 (b) Retirement Savings Plan

Most benefits are paid for by the city. However, some require contributions from employees. Refer to each policy and to the annual salary ordinance for additional information.

40.302 Vacation Benefits

Vacation benefits are available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn vacation benefits:

- Civilian full-time employees after 90-days of employment

The amount of vacation benefits an employee receives each anniversary year increases with the length of their employment.

Civilian Employees
New full-time exempt and non-exempt employees will receive one vacation day every other month after 90-days of employment for a total of six-days. The first day will accrue on the 1st day of the month following their hire date. If they are hired on the first of the month, they will immediately receive one vacation day upon hire. The amount of vacation benefits employees receive each anniversary year increases with the length of their employment as shown in the following schedule:

Length of Employment Earned on Anniversary Date	Eligible Vacation Days
After 90-days of employment	One-day every other month (up to six-days)
One-year through five-years of service	10-days
Six-years through 14-years of service	15-Days
15-years through 24-years of service	20-Days
25-years through 29-years of service	25-Days
30-years or more of continuous service	30-Days

In the interest of hiring employees with exceptional skills, the city reserves the right to negotiate vacation leave as a condition of the job offer process. Upon approval from the Mayor, and/or Human Resources, Department Heads may offer up to two or three-weeks, or 10 to 15-days maximum vacation leave, with a 90 to 120-day waiting period to new hires based on the following criteria: salary exempt positions/candidates only, based on their level education/certification/licensing, years of direct professional vocational experience and other unique skills, knowledge, and abilities.

All full-time employees may use their vacation benefits in half-day or full-day increments, up to a maximum of five consecutive business days off at one time, unless otherwise approved in writing by the Department Head. To take vacation benefits, employees must request approval from their Department Head at least one-week in advance of the proposed vacation starting date. Department Heads have the authority to approve or deny all vacation requests.

Vacation benefits may not be taken in advance of having earned the time. Vacation benefits are earned for all continuous years of service in an active pay status. Vacation is not earned while an employee is in an unpaid status. In the event that available vacation benefits are not used by the end of the anniversary year, the unused vacation benefits will be forfeited.

If an employee terminates employment, unused vacation benefits will be paid out. Refer to Policy #40.405 – Employment Terminations and Policy #40.708 – Resignation for additional information. In the event of an employee's death, vacation benefits will be paid to the estate of the employee. An employee's termination date may not be extended by the use of unused vacation benefits, or to earn additional vacation.

Vacation benefits will be calculated based on the employee's current pay rate at the time of the absence times the number of hours the employee was scheduled to work on that day and will be included in the calculation of overtime.

The amount of vacation benefits a Firefighter receives is outlined in Chapter 42, Public Safety Fire Protection Personnel Policies in the Code of Ordinances. The amount of vacation benefits a Police Officer receives is outlined in Chapter 43, Public Safety Law Enforcement Personnel Policies in the Code of Ordinances.

Employees seeking additional information about vacation benefits may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.303 Sick Leave Benefits

The city provides sick leave benefits to eligible employees for periods of temporary absence due to one of the following:

- Illness or injury of the employee and dependents
- Medical or health-related appointments of the employee and dependents

Eligible employee classifications include:

- Regular full-time civilian employees after 90-days of employment

All full-time civilian employees may use up to a maximum of 80 hours of sick leave per calendar year, unless the employee qualifies for and is approved for extended sick leave. New exempt employees will receive a prorated number of sick leave benefit hours based on their hire date. Employees may use their sick leave benefits in half or full-day increments.

Sick leave benefits for exempt employees may accumulate up to a maximum of 120-days. Sick leave benefits for nonexempt employees may accumulate up to a maximum of 180-days. If an employee's sick leave benefits exceed the maximum, further accrual of sick leave benefits will be suspended until the amount of sick leave is below the maximum.

The presentation of a physician's written certification of illness will be required in the following cases:

- Three (3) or more consecutive sick leave days
- Less than three (3) days are claimed and the Department Head deems a certificate necessary.
- All employees sick leave of more than three (3) consecutive days taken by an employee shall be reported to human resources as soon as knowledge of such leave is indicated prior to or at the time such leave occurs.

Employees who are off for more than three consecutive sick days may also be provided FMLA paperwork in the event that they may be needed for the illness. Employees may refer to Policy #40.601 – Family Medical Leave Act for additional information. The city reserves the right to request a physician's statement for absences less than three-days.

Sick leave benefits are not earned while an employee is in an unpaid status. Unused sick leave benefits will not be paid out upon termination of employment. An employee's termination date may not be extended by the use of unused sick leave benefits, or to earn additional sick leave benefits. Employees may refer to Policy #40.405 – Employment Terminations and Policy #40.708 – Resignation for additional information.

Sick leave benefits will be calculated based on the employee's current pay rate at the time of the

absence times the number of hours the employee was scheduled to work on that day and will be included in the calculation of overtime.

The amount of sick leave benefits a Firefighter receives is outlined in Chapter 42, Public Safety Fire Protection Personnel Policies in the Code of Ordinances. The amount of sick leave benefits a Police Officer receives is outlined in Chapter 43, Public Safety Law Enforcement Personnel Policies in the Code of Ordinances.

Employees seeking additional information about sick leave benefits may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.304 Personal Days

Personal days are provided to eligible employees to use for vacation, illness or injury, and personal business. Employees in the following employment classification(s) are eligible to earn and use personal days as described in this policy:

Eligible employee classifications include:

- Regular full-time civilian employees

Although the calculation of personal leave time will begin with their first full week of employment, after 90-days of employment, an eligible nonexempt employee will earn one-hour of personal leave time for every 40-hours worked in a standard workweek. Personal days may be used in one-hour increments.

Eligible exempt employees will earn personal days based on the following schedule and may use personal time in half or full-day increments:

Length of Employment Earned on Calendar Date	Eligible Personal Days
New employees after 90-days of employment	Up to six-Days
One-year through three-years of service	Six-Days
Four-years or more of continuous service	Eight-Days

Up to two-days or 16-hours of personal leave may be carried over into the following calendar year. Any hours remaining, greater than 16-hours, shall be converted to sick leave benefits and accumulated as per the policy on sick leave benefits. If a nonexempt employee already has 180-days of sick leave accumulated, or if the conversion of personal leave causes an employee to reach 180-days, any excess personal leave time is forfeited. If an exempt employee already has 120-days of sick leave accumulated, or if the conversion of personal leave causes an employee to reach 120-days, any excess personal leave time is forfeited. Employees will not be paid for unused personal days upon termination of employment. Personal days may not be used to extend a termination date, or to earn additional personal days.

Personal days will be calculated based on the employee's current pay rate at the time of the absence, times the number of hours the employee was scheduled to work on that day and will be included in the calculation of overtime.

The amount of personal days Firefighters and Fire Department Administrative employees receive is outlined in Chapter 42, Public Safety Fire Protection Personnel Policies in the Code of Ordinances.

The amount of personal days a Police Officer receives is outlined in Chapter 43, Public Safety Law Enforcement Personnel Policies in the Code of Ordinances.

Employees seeking additional information about personal days may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.305 Holidays

This policy applies to civilian full-time employees, and Fire Department Administrative Personnel. The City of Auburn grants the following paid federal holidays to all full-time eligible employees upon their date of hire:

- Mayoral Floating Holiday* (TBD each year)
- New Year's Day (January 1)
- Martin King Luther Jr. Day (third Monday in January)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veterans Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- Day After Thanksgiving (fourth Friday in November)
- Christmas Eve (December 24)
- Christmas Day (December 25)
- New Year’s Eve Day (December 31)

* The Mayoral Floating Holiday is determined at the beginning of each calendar year. Per city ordinance, a final list of dates of annual designated holidays (actual or observed) will be announced and posted prior to January 1st of each year.

A recognized holiday that falls on a Saturday may be observed on the preceding Friday. A recognized holiday that falls on a Sunday may be observed on the following Monday. To be eligible to receive holiday pay, the employee must be present on their scheduled working day preceding the paid holiday, and on their first scheduled working day following the holiday, unless on a preapproved leave. If an employee uses preapproved sick time on one or both of these days because of an illness or injury, the city may require a physician’s written certification for the absence before approving holiday pay. If a recognized holiday falls during an eligible employee's preapproved paid time off, e.g., vacation benefits, sick leave benefits, personal days, or bereavement days, holiday pay will be provided instead of the paid time off that would otherwise have applied.

Employees who need time off to observe religious practices or holidays not already scheduled by the city, should speak with their Department Head. The employee may request vacation benefits or a personal day in these circumstances. The city will seek to reasonably accommodate individuals’ religious observances.

Holiday pay for civilian employees is paid at the employee's current pay rate at the time of the holiday and will be included in the calculation of overtime. Holiday pay for employees who work the holiday is paid at the employee's current pay rate at the time of the holiday, and hours worked will be included in the calculation of overtime.

Holiday pay for Merit Police Officers is outlined in Chapter 43 of the Code of Ordinances. Holiday pay

for Merit Fire Department Employees is outlined in Chapter 42 of the Code of Ordinances.

Employees seeking additional information about holiday pay may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.306 Workers' Compensation Insurance

The City of Auburn provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable federal and state legal requirements, workers' compensation insurance may provide benefits after a short waiting period or, if the employee is hospitalized, immediately.

An employee who sustains work-related injuries or illnesses must inform their Department Head, or the Human Resources Department immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. At the time the injury occurs, the need to see a doctor will be determined. Within 72-hours of the incident report being submitted, an accident or injury form must be completed by the involved employee, or if necessary, by their Department Head, and sent to the Human Resources Department. A person assigned by the Department Head may help the employee in the completion of the appropriate forms. The City of Auburn may select the physician and/or facility seeing all workplace injuries and in accordance with state laws. For employees who reside in Michigan, the city may determine the physician, however, the employee may make a new selection after 10-days by notifying the Human Resources Department.

Reports of injury are necessary to comply with federal and state laws and initiate workers' compensation benefits. Failure to notify a Department Head and the Human Resources Department about a work-related injury or illness immediately may result in an employee losing workers' compensation benefits with regards to that particular injury or illness.

Any employee injured on the job, who must leave the worksite, may be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination of employment. Refer to Policy #40.702 – Drugs and Alcohol Use/Testing for additional information.

The City of Auburn maintains a return-to-work program. Following an appointment with a physician, the physician will communicate with the Department Head or the Human Resources Director any restrictions the employee may have as a result of the injury or illness. The Department Head or the Human Resources Director will determine what accommodations may be made to assign the employee to restricted work duty. If no work is available at the City of Auburn, to satisfy the restrictions, the Department Head or the Human Resources Director will maintain close communications between the employee and physician to ensure proper and timely treatment for the injury or illness. The City of Auburn may return the employee to work as soon as they are either released with restrictions that may be accommodated by the City of Auburn, or fully released, whichever comes first.

The employee must be accompanied by a physician’s release upon return to work. An employee who is on workers’ compensation leave and does not return to work immediately following release from the health care provider will be considered to have voluntarily terminated employment as of the date of the release.

Medical insurance coverage and other insurance benefits will continue on the same basis as coverage would have been provided had the employee been continuously employed during the period of a workers' compensation leave as long as the employee pays their regular portion of the premium on a timely basis. Employees must arrange with the Clerk-Treasurer's Office to pay their portion of all pay-related deductions.

An employee who is self-employed or accepts other employment or works for any other employer during a workers' compensation leave must report such work immediately to their Department Head, and the Human Resources Department. An employee who works in one of the above capacities at any time during their workers' compensation leave, performing work of a like or similar character or exertion as that which the employee performed for the City of Auburn may be considered to have voluntarily terminated their employment as the date such work began.

If appropriate the City of Auburn will follow all other federal and state employment-related policies that run concurrent with workers' compensation guidelines, such as FMLA, the ADAAA, etc.

Employees seeking additional information about workers' compensation may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.308 Time Off to Vote

The City of Auburn encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If nonexempt employees are unable to vote in an election during their nonworking hours, the City of Auburn may grant a maximum of two-hours of unpaid time off to vote.

Employees should request time off to vote from their Department Head at least two working days prior to Election Day. Advance notice is required so that the necessary time off may be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Employees seeking additional information about jury duty may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.309 Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their Department Head, or the Clerk-Treasurer immediately. Bereavement leave may be provided to eligible employees in the following classifications:

- Regular full-time employees upon their date of hire

Up to five consecutive days of paid bereavement may be provided to eligible employees in the event of the death of a spouse, parent, stepparent or foster parent, sibling or step-sibling, child, stepchild, or foster child, grandchild, grandparent, or any other relative residing in the employee's household.

Up to three consecutive days of paid bereavement may be provided to eligible employees in the event of the death of a mother-in-law or father-in-law, brother-in-law or sister-in-law, and son-in-law or daughter-in-law.

Up to one day of paid bereavement may be provided to eligible employees in the event of the death of

an aunt or uncle, niece or nephew, grandparent-in-law, grandchild-in-law, or great grandparent.

Employees may request vacation benefits or personal days to cover any additional time off, or, in the event of the death of any other relative or friend not listed above.

Bereavement pay is calculated based on the current pay rate at the time of absence and will be included in the calculation of overtime.

Employees seeking additional information about bereavement leave contact their Department Head or the Human Resources Department.

40.311 Jury Duty

The City of Auburn encourages employees to fulfill their civic responsibilities by serving jury duty when required. Eligible employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Regular part-time employees

Jury duty pay will be calculated based on the difference between jury duty pay from the court and the employee's current pay rate times the number of hours the employee would have otherwise worked on the day of the absence. It is the employee's responsibility to keep their Department Head, or the Clerk-Treasurer, informed about the amount of time required for jury duty and to provide documentation regarding jury duty pay received in order to receive full pay.

Michigan
Employees who reside in Michigan may not be required to work on a day when they have jury duty if the total number of hours worked exceeds the number of hours normally and customarily worked by that person during a workday, however, an employee may voluntarily do that.

Employees must show the jury duty summons to their Department Head, or the Clerk-Treasurer within 48-hours of receipt of the jury summons so that arrangements to accommodate the absence may be made. Employees are expected to report for work whenever the court schedule permits.

Employees will continue to earn paid time off benefits and holiday pay during a jury duty leave.

Employees seeking additional information about jury duty may contact their Department Head, or the Human Resources Department.

40.312 Witness Duty

The City of Auburn encourages employees to appear in court for witness duty when subpoenaed to do so. If employees have been subpoenaed or otherwise requested to testify as witnesses by the City of Auburn, they will receive paid time for the entire period of the witness duty. Any employee who is called to testify in court by the City of Auburn will be paid their current rate of pay for the time expended.

Employees may be granted unpaid time off to appear in court as a witness when requested or subpoenaed by a party other than the City of Auburn. Employees may use any available paid time off to receive compensation for the period of the absence, however, are not required to do so.

The subpoena should be shown to the employee's Department Head, or the Clerk-Treasurer, immediately after it is received, so that operating requirements may be adjusted to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

Employees seeking additional information about witness duty may contact their Department Head, or the Human Resources Department.

40.313 Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue their medical insurance coverage under the City of Auburn's medical, dental, and vision insurance plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

The City of Auburn provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City of Auburn's medical, dental, and vision insurance plans. The notice contains important information about the employee's rights and obligations, as well as the cost of benefits under COBRA.

Employees seeking additional information about benefits continuation (COBRA) may contact the Clerk-Treasurer's Office..

40.314 Genetic Information Nondiscrimination Act (GINA)

The City of Auburn follows all federal and state laws with regards to the Genetic Information Nondiscrimination Act (GINA). The City of Auburn may not use genetic information or genetic testing in furtherance of a workplace wellness program unless certain requirements are met. The City of Auburn is not prohibited from requesting or requiring genetic information for genetic monitoring of the biological effects of toxic substances in the workplace if certain requirements are met. The City of Auburn will treat genetic testing information consistent with the requirements of all other federal and state laws.

Employees seeking additional information about GINA may contact the Human Resources Department.

40.316 Health Insurance

The City of Auburn's health insurance plan may provide employees and their dependents access to medical, dental, vision, and prescription drug insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan(s):

- Regular full-time employees upon their date of hire

Eligible employees may participate in the medical, dental, and vision insurance plans, subject to all terms and conditions of the agreement between the City of Auburn and the insurance carrier(s). Details of the medical insurance plan are described in the Summary of Benefits and Coverage (SBC). An SBC and information on the cost of coverage will be provided in advance of enrollment to eligible

employees.

Employees seeking additional information about health insurance may contact the Clerk-Treasurer's Office..

40.317 Group Life Insurance

Group life insurance offers an employee and their family important financial protection. The City of Auburn provides a group life insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the group life insurance plan:

- Regular full-time employees upon their date of hire

Eligible employees may participate in the group life insurance plan subject to all terms and conditions of the agreement between the City of Auburn and the insurance carrier. Details of the group life insurance plan, including benefit amounts, are described in the Summary Plan Description (SPD) provided to eligible employees.

Employees seeking additional information about group life insurance may contact the Clerk-Treasurer's Office.

40.318 Short-Term Disability (STD) Insurance

Short-term disability insurance offers an employee and their family important financial protection. The City of Auburn provides a short-term disability insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the short-term disability insurance plan:

- Regular full-time employees upon their date of hire

Eligible employees may participate in the short-term disability insurance plan subject to the terms and conditions of the agreement between the city and the insurance carrier. The City of Auburn reserves the right to require employees to pay the full cost of benefit premiums during a short-term disability leave. All paid time off benefits e.g., vacation benefits and sick leave benefits will stop accruing during the time that the employee is on a short-term disability leave.

Details of the short-term disability insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees.

Employees seeking additional information about the short-term disability insurance plan may contact the Clerk-Treasurer's Office.

40.320 Indiana Public Retirement System (INPRS)

Full-time employees who work in eligible covered jobs will be covered by the Indiana Public Retirement System (INPRS). The benefits, costs, and administration are determined by current INPRS directives.

Employees seeking additional information about INPRS may contact the Clerk-Treasurer's Office.

40.321 Indiana Public Retirement System (INPRS) 1977 Fund

Eligible employees of the Fire and Police Departments who work in covered jobs will be covered by the Indiana Public Retirement System (INPRS) Firefighters' Fund and Police Officers' (1977 Fund). The benefits, costs, and administration are determined by current INPRS 1977 Fund directives.

Employees seeking additional information about the INPRS 1977 Fund may contact the Clerk-Treasurer's Office.

40.322 457(b) Retirement Savings Plan

The city has established a 457(b) retirement savings plan to provide employees the potential for future financial security for retirement. The 457(b) retirement savings plan allows employees to elect how much salary they want to contribute and how they want to direct the investment of their plan account, so that they are able to tailor their own retirement package to meet their individual needs. The city may also contribute to each employee's 457(b) retirement savings plan.

Employees in the following employment classifications are eligible to participate in the 457(b) retirement savings plan:

- Regular full-time employees after 90-days of employment

Eligible employees may participate in the 457(b) retirement savings plan subject to the terms and conditions of the agreement between the city and the plan provider. Complete details of the 457(b) retirement savings plan are described in the Summary Plan Description (SPD) provided to eligible employees.

Employees seeking additional information about the 457(b) retirement savings plan may refer to the city's current salary ordinance or contact the Clerk-Treasurer's Office..

40.323 Voluntary Benefits

The city provides employees the opportunity to purchase voluntary benefits from a third-party vendor through payroll deduction. Employees in the following employment classifications are eligible to participate in the voluntary benefit plans:

- Regular full-time employees after 90-days of employment

Voluntary benefit plans include:

- Accident and AD&D Insurance
- Cancer Insurance
- Critical Illness Insurance
- Hospital Indemnity Insurance
- Long-Term Disability (LTD) Insurance
- Supplemental Life Insurance for Employees
- Supplemental Life Insurance for Dependents

Complete details of each voluntary benefit plan are available in the Summary Plan Description (SPD) and the agreement between the vendor and the city.

Employees seeking additional information about voluntary benefits may contact the Clerk-Treasurer's Office.

40.325 Licensing/Certification/Membership Dues

The City of Auburn may reimburse the employee or directly pay for specific job-related licenses, certifications, and membership dues applicable to each job classification. Department Heads are responsible for approving such expenditures in advance and the type of licensure, certification, or membership dues required is left to their sole discretion and based on the requirements of the job description. Certain licenses, certifications, and membership dues are pre-approved by the Board of Public Works & Safety and the Common Council to pay every year. Public Safety employees seeking additional information may refer to the Fire Department Standard Operating Guidelines (SOGs) or Police Department Standard Operating Procedures (SOPs).

Employees seeking additional information about licenses, certifications, and membership dues may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.326 Employee Assistance Program (EAP)

The city offers a confidential Employee Assistance Program (EAP) to all employees and their family members, free of charge to assist them with personal problems and/or work-related issues that may impact their job performance, physical health, or mental and emotional well-being. The employee may contact the Employee Assistance Program (EAP) provider directly. Employees may obtain the contact information for the Employee Assistance Program from the Human Resources Department.

Employees seeking additional information about the employee assistance program (EAP) may contact the Human Resources Department.

40.327 Clothing/Uniform Allowances

The city may provide clothing/uniforms for those employees who are required to wear a uniform or meet certain safety standards as established in the Fire Department Standard Operating Guidelines (SOGs), the Police Department Standard Operating Procedures (SOPs), Federal Motor Carrier Safety Administration (FMCSA), or the Department of Transportation (DOT), and upon approval by the Department Head.

Public Safety employees seeking additional information may refer to the Fire Department Standard Operating Guidelines (SOGs) or Police Department Standard Operating Procedures (SOPs). Employees seeking additional information regarding clothing/uniform allowances may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.328 Longevity Pay

The city will provide longevity pay to First Class Police Officers and Firefighter, based upon the employee's date of hire. Longevity will be calculated as of 1% of the employee's base wage salary, up to a maximum of 20-years of service. Thereafter, employees with over 20-years of service will only receive the equivalent to 20-years of longevity compensation.

Employees seeking additional information about longevity pay may contact the Human Resources

Department.

TIMEKEEPING/PAYROLL

40.401 Timekeeping

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the City of Auburn to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift, departure from work for personal reasons, or the use of paid time off, e.g., vacation benefits, sick leave benefits, personal days, bereavement leave, holiday pay, or any other type of approved leave on their time records. Overtime work must always be approved before it is performed. Refer to Policy #40.507 – Overtime for additional information.

It is the employees' responsibility to make sure that they are submitting their electronic timesheets timely and consistently and that they have their Department Head approve their time records to certify the accuracy of all time recorded. Department Heads must submit all employee time records to the Human Resources Department, no later than 9:00 a.m. on the Monday prior to the scheduled payday. In addition, if corrections or modifications are made to the time records, both the employee and the Department Head must verify the accuracy of the changes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Employees seeking additional information on timekeeping may contact their Department Head, or the Human Resources Department.

40.403 Paydays

The City of Auburn pays employees on a biweekly basis (26-pays per year and some years 27-pays). The payroll week is from Sunday through Saturday. Each paycheck will include earnings for all work performed through the end of the payroll period. Employees will receive their paychecks on Thursdays.

The city mandates that employees enroll in direct deposit where wages are directly deposited into an employee’s bank account on the designated pay date. Employees will receive a digital itemized statement of wages when the city makes direct deposits.

Employees seeking additional information about paydays may contact the Human Resources Department.

40.405 Employment Terminations

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the organization.
- Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

The city may schedule exit interviews at the time of the employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, and repayment of outstanding debts to the city. Suggestions, complaints, and questions may also be voiced. Employee benefits will be affected by employment termination in the following manner. All earned, vested benefits that are due and payable at termination will be paid according to each policy. Since employment with the city is based on mutual consent, both the employee and the city have the right to terminate the employment-at-will relationship, with or without cause.

Employees seeking additional information about employment terminations may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.409 Administrative Pay Corrections

The City of Auburn takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Department Head, who will contact the Human Resources Department, so that corrections may be made as quickly as possible, or on the next regularly scheduled pay date.

40.410 Pay Deductions and Setoffs/Garnishments

The law requires that the city make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The city may deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The city matches the amount of Social Security taxes paid by each employee. The city does not deduct Social Security taxes from Merit Firefighters or Police Officers.

The city offers programs and benefits beyond those required by law. The city may not make any deductions from an employee’s paycheck outside of those that are either required by law or authorized in writing by the employee.

Pay setoffs and garnishments are pay deductions taken by the city, usually to help pay off a debt or obligation to the city, or others.

Employees seeking additional information about pay deductions or setoffs/garnishments or who have questions concerning why deductions were made from their paycheck or how they were calculated may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

WORK CONDITIONS & HOURS

40.501 Safety

To assist in providing a safe and healthful work environment for employees, citizens, and visitors, the city has established a workplace safety policy. This policy is a top priority for the city. Department Heads have the responsibility for implementing, administering, monitoring, and evaluating safety programs. The success of each program depends on the alertness and personal commitment of all.

All employees must wear the appropriate personal protective equipment (PPE) required to perform their job safely or while in certain designated areas of the work environment. Employees who are unsure what PPE they are required to wear at any given time should refer to their Department Head. The following PPE may be required:

Safety Shoes
An appropriate work boot/shoe may be necessary for certain job classifications while working and on-duty. Under no circumstances will an employee be permitted to work in sandals or open-toe shoes (an exception may be made for office-related jobs).

Safety Glasses
The use of safety glasses, or a face shield by all employees is mandatory when using power tools such as weed whackers, grinders, chisels, saws, and while performing any other activity that has the potential of foreign objects entering the eyes.

Seat Belts
All employees must use seat belts and shoulder restraints whenever they operate city-owned or leased vehicles and equipment, if applicable.

Good Housekeeping
Employees should keep their work location clean and orderly. Clean up spills, drips, and leaks immediately to avoid slips and falls. Always discard trash in the proper receptacles and place materials and supplies on shelves carefully so they will not fall over or off easily upon any inadvertent contact.

General Safety Guidelines
Employees should abide by the following safety guidelines in the workplace:

- Aisles, passageways, and floors must be kept clean, dry, in a sanitary condition and free from stumbling and tripping hazards.
- Guards and other safety devices are installed for an employee's protection. They should not be removed under any circumstance except for maintenance purposes and guards should be replaced before starting the equipment. Guards on machinery should never be down or blocked.
- Before conducting any work on moving machinery, it must be stopped and disconnected from the electrical source to prevent accidental start-up.
- Machinery must be shut down prior to cleaning, adjusting, or repairing.
- Do not wear gloves, ragged, or loose clothing around moving equipment.
- Before using any ladder, check to make sure that it has good safety feet and is free from cracks, broken rungs, and other defects. When necessary to prevent slipping, have another employee hold the bottom of the ladder while in use.

- Do not attempt to lift or push objects that may be heavy. Ask for help when necessary or use an assistive device.
- Do not use defective tools such as chisels, sledgehammers, punches, wrenches, etc. and ensure that they are replaced or repaired.
- Know the location of the nearest fire extinguisher in a city-owned or city-operated facility.
- If working where there are heavy fumes, or dust, make sure there is proper ventilation.
- Pay attention to warning signs, as they indicate danger.
- Do not make electrical repairs unless qualified to do so, and make sure that the power is off. Never touch any loose or broken electrical wires.

If an accident results in an injury, no matter how minor the injury may be, employees are required to report the incident to their Department Head, who will forward the first report of injury to the Human Resources Department. At the time the injury occurs, the need to see a physician will be determined. All workplace injuries will be seen by a physician selected by the city. Reports of injury are necessary to comply with the laws and initiate workers' compensation benefits. Failure to notify a Department Head, and the Human Resources Department about a work-related injury or illness immediately may result in an employee losing workers' compensation benefits with regards to that particular injury or illness. Refer to Policy #40.306 – Workers' Compensation Insurance for additional information.

Any employee injured on the job, may be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination of employment. Refer to Policy #40.702 – Drugs and Alcohol Use/Testing for additional information.

Some of the best safety improvement ideas come from employees. Employees with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their Department Head. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work-related activities. Employees must immediately report any unsafe condition to their Department Head. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

40.502 Work Schedules

Department Heads will establish the standard workday, workweek, and starting and ending times for each department, taking into account current and anticipated workloads, public service needs and other factors. Each department is responsible for communicating these work parameters to their employees. No established schedule will be construed as a guarantee of work hours or as a restriction on the City of Auburn's right to restructure the workday or workweek.

- **Auburn Essential Services (AES)** = 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m., or as set by the Department Head (one-hour unpaid lunch)
- **Clerk-Treasurer's Office** = 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)
- **Building, Planning & Development Department** = 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)
- **Engineering Department =** 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)

- **Fire Department Administration=** 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)
  - Firefighters = Four 24-hour shifts
  - 212-hours in a 28-day work period
- **Mayor's Office** = 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)
- **Park & Recreation Department =** 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)
- **Police Department Administration** = 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)
  - Uniformed Officers = Three eight-hour shifts
  - 171-hours in a 28-day work period
- **Street Department =** 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)
- **Utilities Department (Electric, Refuse/Recycle, Sewer, Stormwater, and Water) =** 40-hours per week from Monday through Friday, 7:00 a.m. to 4:00 p.m. (one-hour unpaid lunch)

Employees seeking additional information about work schedules may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.504 Use of Phone and Mail Systems

Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse the City of Auburn for any charges resulting from their personal use of the telephone or fax machine.

The use of the city-paid postage for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Employees should confirm information received from the caller and hang up only after the caller has done so. All employees are responsible for answering the City of Auburn's telephones, as needed.

40.505 Non-Smoking

In keeping with Indiana state law, and the City of Auburn's intent to provide a safe and healthful work environment, smoking is not permitted in the workplace, or in city-owned or leased vehicles, except in those locations that have been specifically designated as smoking areas. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

This policy applies equally to all employees, citizens, and visitors.

40.506 Rest and Meal Periods

All full-time employees may be provided with one meal period each workday. Department Heads may schedule meal periods to accommodate operating requirements. Nonexempt employees are required to take a meal break of not less than one-half hour for each eight-hour shift. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Employees must check-out at the beginning of their meal period and check-in at the

ending time of each meal period utilizing their designated departmental timekeeping process. Employees who fail to check-out at the beginning of their meal period or check-in at the end of their meal period may be subject to disciplinary action, up to and including termination of employment.

Rest periods may be given at the discretion of the Department Head. However, rest periods are not required by law to be provided to employees working eight-hour shifts or less. Employees who do take a rest period of 10-minutes or less in length will not be required to check-out or check-in on their time record. Employees under the age of 18 are required to take breaks and rest periods in accordance with the State of Indiana Teen Work Hours laws.

Employees are expected to promptly return to their workstations following the allotted time for their rest and meal periods. Any employee who fails to return, in a timely manner, to their workstation will be subject to appropriate disciplinary action, up to and including termination of employment.

Employees seeking additional information about rest and meal periods may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.507 Overtime

Overtime
When operating requirements or other needs cannot be met during regular working hours, nonexempt employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments may be provided. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. No overtime may be worked by nonexempt employees unless approved by the Department Head, or the Clerk-Treasurer.

Overtime compensation is paid to all nonexempt employees at one and one-half times the base rate of pay, in accordance with federal and state wage and hour restrictions. Overtime pay is based on hours worked. Vacation benefits, sick leave benefits, personal days, holidays, bereavement leave, or any other leave of absence will be considered hours worked for purposes of performing overtime calculations.

Fire Department Employees
Merit Firefighters are required to provide fire suppression activities 24-hours a day, seven-days per week. In light of the special responsibilities that the department has in providing continuous, uninterrupted service, special policies apply to the methods in which overtime and compensatory time are provided.

All full-time nonexempt Merit Firefighters who are engaged in fire suppression activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k) the city further adopts the use of a 28-day “work period” for the purposes of determining compensation for overtime hours worked. Based upon the foregoing, the annual salary for full-time nonexempt employees of the Fire Department as set forth in the city’s annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each “work period.” All full-time nonexempt Merit Firefighters will be paid straight time compensation for up to 212-hours of regular employment during each “work period.” Overtime pay or compensatory time will be accrued for all time worked in excess of 212-hours during a “work-period.” Overtime earned during a “work period” will be paid in the first regularly scheduled paycheck issued subsequent to the “work period” in which the extra compensation was earned.

Police Department Employees
Merit Police Officers are required to provide protection 24-hours a day, seven-days per week. In light of the special responsibilities that the Police Department has in providing continuous, uninterrupted service, special policies apply to the methods in which overtime is provided.

All full-time Merit Police Officers who are engaged in law enforcement activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the City of Auburn further adopts the use of a 28-day "work period" for the purposes of determining compensation for overtime hours worked. Based upon the foregoing, the annual salary for full-time employees of the Police Department as set forth in the City of Auburn's annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each "work period." All full-time Merit Police Officers will be paid straight time compensation for up to 171-hours of regular employment during each "work period." Overtime pay will be earned for all time worked in excess of 171-hours during a "work period." Overtime earned during a "work period" will be paid in the first regularly scheduled paycheck issued subsequent to the "work period" in which the extra compensation was earned.

40.508 On Call/Called In Employees

The definition of on call is being designated to be available to answer calls for an employee's respective job during nonscheduled hours. A nonexempt employee who is on call is required to be available to respond to the workplace within 30-minutes of the time called.

If an employee is on call from Monday through Friday, they will be compensated $20.00 per day. If an employee is on call Saturday, Sunday, or on a holiday, they will be compensated $100.00 per day. If any employee is on call and is called to report to work, the employee will also be paid a minimum of one-hour of pay at their regular hourly rate or overtime hourly rate. Any employee who is not on call, but who is called to report to work, will be paid a minimum of one-hour of pay at their regular hourly rate or overtime hourly rate.

Exempt employees are not eligible for on call and call in pay in accordance with the regulations of the Fair Labor Standards Act (FLSA). Exempt employees are paid to "get the job done" thus are paid the same amount each pay period. Refer to Policy #40.201 – Employment Categories for additional information.

Employees seeking additional information about being either on call or called in may contact their Department Head.

40.509 Use of Equipment, Machines, and Tools

Equipment, machines, or tools essential in accomplishing job duties are expensive and may be difficult to replace. When using city-owned or leased property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees must immediately notify a Department Head if any equipment, machines, or tools appear to be damaged, defective, or need repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment, machines, and tools, and possible injury to employees or others. A Department Head may answer any questions about an employee's responsibility for maintenance and care of equipment, machines, tools, or vehicles used on the job.

Employees must notify their Department Head, and the Human Resources Department in the event of an accident. This includes accidents that do not result in personal injury or damage to equipment. By knowing about accidents, the City of Auburn may investigate the case and determine if corrective action is required to prevent recurrence. Department Heads must report all accidents reported to them to the Human Resources Department. Refer to Policy #40.306 – Workers' Compensation Insurance and Policy #40.501 – Safety for additional information.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment, machines, or tools, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

40.510 Use of Municipal-Owned or Leased Vehicles

Any employee who is required to operate a municipal-owned or leased vehicle in the course of their employment will be subject to the following conditions and restrictions:

- Must be able to meet insurability standards and requirements of the municipal's liability insurance carrier.
- Must maintain a valid state issued driver's license.
- Will have periodic Bureau of Motor Vehicle (BMV) checks completed through the state.
- Must use seat belts by all drivers and passengers in the vehicle.
- Employees must immediately report any condition that adversely affects their personal ability to operate a vehicle(s).

Employees may be reassigned or other appropriate employment action(s) may be taken by the city in the event that an employee's license is revoked, suspended, or who has a traffic conviction.

In addition, employees must use assigned municipal vehicles for the purpose(s) authorized. Reimbursement for necessary emergency road service and repairs, parking, and highway-related tolls require the appropriate receipts for reimbursement. Refer to Policy #40.512 – Business Travel Expenses for additional information.

In the event of an accident, employees must do the following:

- Assist any injured party if possible and call 911.
- Do not move any vehicles unless instructed to do so by proper police authority.
- Write down all pertinent facts such as the other driver's name, address, telephone number, license plate number, driver's license number, social security number, name of city's insurance policy and number, name, address, and telephone number of any injured party or witness.
- Do not admit any fault or make any oral or written statements but give your name, address, telephone number, etc., as required.
- Notify the Department Head and submit a written report as soon as possible.
- Department Heads must report all accidents to the Human Resources Department.

Employees of the city who are assigned a municipal-owned or leased vehicle for duty to domicile travel are subject to Internal Revenue Service (IRS) rulings regarding such usage. The use of such a vehicle for commuting is considered by the IRS to be a taxable benefit. A value must be established and the total annual amount reported to the IRS on each employee's W-2 form with an additional W-2 form. If an employee assigned a municipally owned or leased vehicle will be absent for more than five

business days, the vehicle must be returned, parked, and secured at a designated city facility for the duration of the absence. Department Heads, Managers, and Superintendents may be eligible for a take-home vehicle for domicile travel when deemed necessary by the city. Employees requesting a take-home vehicle must complete the appropriate form through Human Resources and receive approval from the Mayor prior to assignment.

Indiana laws ban text messaging while operating a motor vehicle. The city expects all employees driving municipal-owned or leased vehicles to comply with this law. Failure to comply may result in disciplinary action, up to and including termination of employment.

Employees seeking additional information about the use of municipal-owned or leased vehicles may contact their Department Head.

40.511 Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, may disrupt the City of Auburn's operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during non-working hours, employees will be notified of the closing via telephone and the city's website.

When the decision to close is made AFTER the workday has begun, employees will receive official notification from their Department Head, the Clerk-Treasurer, or the Mayor. In these situations, time off from scheduled work will be paid. When the decision to close is made BEFORE the workday has begun, time off from scheduled work will also be paid.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees must use available vacation benefits, sick leave benefits, or personal days to be paid for the missed time, or in the case of the employee not having any paid time off, the employee must take the time unpaid, as approved by their Department Head.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive straight-time pay.

Employees seeking additional information about emergency closings may contact their Department Head, or the Human Resources Department.

40.512 Business Travel Expenses

The City of Auburn may reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by a Department Head, the Clerk-Treasurer, or the Mayor. Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives may be reimbursed by the City of Auburn. Employees are expected to limit expenses to reasonable amounts per the guidelines below.

Expenses that generally may be reimbursed include the following:

- Mileage costs for use of personal cars, only when less expensive transportation is not available and payable at the federal mileage rate as set by the Internal Revenue Service (IRS) for mileage reimbursement. Mileage is payable to only one of two or more employees traveling on the same trip and in the same vehicle. The names of each person must be listed on the expense report.
- Costs for taxis, or ridesharing, e.g., Lyft, Uber, etc., will be reimbursed when the use of a municipal-owned or leased vehicle, or personal car is not available.
- Actual costs incurred for parking on any day when an employee is entitled to reimbursement for mileage. Fees for parking violations will not be reimbursed. Itemized receipts for any parking fees in excess of $1.00 are required.
- Travel by commercial airlines, rail service, bus, or similar common carrier mode will be reimbursed at the prevailing coach or economy rate.
- The cost of registration or similar fees for conferences, seminars, and other similar meetings or functions related to city business will be reimbursed.
- Cost of reasonable accommodations in low to mid-priced hotels, or similar lodgings that are at least 50-miles from the city. Single occupancy will be reimbursed at the actual cost. Double occupancy will be reimbursed at actual cost when both parties are eligible for reimbursement. Double occupancy will be reimbursed at the single occupancy rate when only one party is eligible for reimbursement, unless room is a one-rate charge.
- Daily meal costs will not exceed $75.00 (including gratuities) and no reimbursement will be made for meals already provided for in a registration fee. Meal expenses are not allowed for meals during normal duty hours for routine employee's duties requiring travel. Alcoholic beverages and room service charges are not reimbursable expenses.
- Tips not exceeding 20% of the total cost of a meal or 20% of the ground transportation fare, before tax (e.g., taxi, Uber, and Lyft).
- Charges for telephone calls, fax, and similar services required for business purposes.
- Personal expenses incurred in traveling to include: personal telephone calls, laundry, personal entertainment, in-room movies, and room service meals, are not reimbursable.

Employees who are involved in an accident while traveling on city-related business must promptly report the incident to their Department Head, and the Human Resources Department. Vehicles owned, leased, or rented by the City of Auburn may not be used for personal use without prior approval.

Employees who use their own personal vehicle for work-related activities on behalf of the city are reimbursed for mileage as stated above. Each employee is required by state law to carry liability insurance. The city's liability insurance only covers claims against the city and it does not cover an employee or an employee's personal vehicle when they are using such a vehicle to conduct city-related business. In the event an employee is injured in an accident while they are using their own personal vehicle on city-related business, the employee may be entitled to certain workers' compensation benefits, depending upon the circumstances and state worker's compensation laws.

With prior approval, employees on business travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful completion of business objectives. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

Accounts payable vouchers, with original itemized receipts, must be turned in to the Clerk-Treasurer's Office within two business days of the trip.

Employees may contact their Department Heads, or the Clerk-Treasurer, for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may be grounds for disciplinary action, up to and including termination of employment.

40.513 Credit Card Usage

The City of Auburn has engaged with banking institutions for the usage of their credit cards. City credit cards may be used by various departments to purchase items needed for the city, or for travel and educational expenses. The City of Auburn is the cardholder for all credit cards and the users are defined as elected officials and employees of the City of Auburn.

This policy has been established to ensure that the procurement of goods with the credit card is accomplished pursuant to the policy and procedures established by the City of Auburn, specifically to:

- Enhance productivity, significantly reduce paperwork, improve internal controls and reduce the overall cost associated with approved purchases as listed in this policy.
- Ensure appropriate internal controls are established with credit cards, so that they are used for authorized purposes only.
- Ensure that the city bears no legal liability from the inappropriate use of credit cards.

The Clerk-Treasurer, as may be appropriate, will make all decisions regarding the issuance of individual credit cards to users and the establishment of any and all additional controls of their use. The Clerk-Treasurer must maintain a custody log that includes the following information:

- Name of the employee using the credit card
- Date of possession
- Date credit card is to be used
- Estimated amount of the approved charges
- Fund or account number to be charged.

City credit cards may be used for the travel and educational expenses as follows:

- Hotel or motel accommodations.
- Hotel or motel room charges for telephone calls related to city business.
- Meals, including the 20% maximum gratuity.
- Fees or costs associated with attending training sessions, conventions, seminars, etc.

City credit cards may be used for the purchases for the city expenses as follows:

- Supplies
- Materials
- Small Tools and Minor Equipment
- Fuel for City-Owned or Leased Equipment and Vehicles

Under no circumstances will the city credit cards be allowed for the purchase of personal items, or for the purchase of alcoholic beverages. The Clerk-Treasurer's Office has the power and authority to pay

all reasonable annual fees associated with the credit card accounts. If a credit card is lost or stolen it must be reported to the Clerk-Treasurer's Office immediately after discovery.

Department Heads must submit original, itemized receipts to the Clerk-Treasurer's Office for processing within two business days of use, as provided in Indiana Code (IC) 5-11-10, before approval and payment. The credit card will be paid in full every billing cycle. Improperly itemized and documented items, as well as all interest, carrying charges, or penalties, will be charged back to the department budget line.

Employees seeking additional information about the credit card usage policy may contact the Clerk-Treasurer's Office.

40.514 Visitors in the Workplace

To provide for the safety and security of employees and the facilities at the City of Auburn, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Employees are responsible for the conduct and safety of their visitors. Visitors of employees are defined as persons at a city-owned or operated facility for social reasons, or any purpose other than directly job-related.

If an unauthorized individual is observed on the City of Auburn's premises, employees should immediately notify their Department Head, the Clerk-Treasurer, the Mayor, or, if necessary, contact security personnel.

40.515 Social Media

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Generally, these guidelines set forth in this social media policy should be applied to any online medium where information may reflect back on the image of the city, employees, agents, or citizens. Examples include but are not limited to: blogs, LinkedIn, Facebook, X, Instagram, Snapchat, TikTok, YouTube, Wikipedia or other wikis, etc. Any comments that the city employees may leave on others' blogs, or Facebook pages, edits to wikis, responses to tweets, postings on message boards/forums, opinions on online polls or any product/services the city employees may author are included in this policy.

All social media accounts, blogs, Web pages and related content carrying the City of Auburn brand identity are and will be owned and licensed by the City of Auburn, as appropriate. Personal accounts, blogs, Web pages and related content that do not carry the City of Auburn's brand identity may be owned, licensed and operated by any employee. If the City of Auburn is referenced in any media as approved by the Mayor, or their assigned designee, all social media guidelines must apply or employees may be subject to disciplinary action, up to and including termination of employment.

All employees should consider and follow these guidelines when posting on social media sites:

- Do not post or link any materials that are threatening, intimidating, coercing, or otherwise interfering with the performance of coworkers, or citizens.
- Do not disclose information acquired in the course of one's work.

- When reposting or referencing a post on one of the city's online sites, provide a link to the original post or story.
- When relevant, employees should identify their affiliation with the city and their area of concentration. This adds credibility to the employee and the city.
- Do respect the laws regarding copyrights, trademarks, rights of publicity and other third-party rights. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information that they use and accurately cite copyrighted works that they identify in the city's online communications. Do not infringe on city logos, brand names, taglines, slogans, or other trademarks.
- If a negative post or comment is found online about the city or an employee, try not to counter with another negative post. Remedy the situation through positive action.
- Employees who publish content to any website outside of the city's official online presence (this may include city websites as well as the city's presence on third-party sites) and it has something to do with subjects associated with the city should consider a disclaimer such as this: "The postings are my own and do not necessarily represent the city's positions, strategies, or opinions."

As stated in Policy #40.517 – Internet Usage, all equipment, services, and technology provided to access the Internet remain at all times the property of the City of Auburn. As such, the City of Auburn reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. In addition, employees should understand that all information transmitted via the Internet is not considered to be confidential in nature and employees should not expect privacy of any information transmitted. Employees are also required to provide the City of Auburn with all passwords used to access the Internet via city-owned or leased equipment, services and technology, as requested by a Department Head, the Clerk-Treasurer, or the Mayor.

While this policy is comprehensive, it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment.

Michigan
For employees who reside in Michigan, the Michigan "Internet Privacy Protection Act" prohibits employers from asking applicants or employees for the username and password or other log-in credentials to gain access to any of the individual's personal, Internet-based accounts, asking applicants or employees to "allow observation of" their account, and asking applicants or employees to "grant access to" their personal accounts.

Employees seeking additional information about social media may contact their Department Head, the Clerk-Treasurer, or Auburn Essential Services (AES).

40.516 Computer and Email Usage

Computers, computer files, the email system, and software furnished to employees are the City of Auburn's property and intended for business use, not for personal use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer, Internet activity, and email usage may be monitored.

The City of Auburn strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the City of Auburn prohibits the use of computers and the email system in ways that are discriminatory, disruptive, obscene, threatening, harassing, intimidating, offensive to

others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to:

- Ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for employees, citizens, or visitors.
- Copying, pirating or downloading software and electronic files without permission.
- Participating in the viewing or exchange of pornography or obscene materials.
- Attempting to break into the computer system of another organization or employee.
- Refusing to cooperate with a security investigation.
- Disclosing information acquired in the course of one's work.
- Sending or posting messages that disparage another organization's products or services while engaged in performing their work tasks from a city-owned or leased computer or mobile device.

The city purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither the city nor any employee has the right to reproduce such software for use on more than one computer.

While this policy is comprehensive, it is not all inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment.

Employees should notify their Department Head, or Auburn Essential Services (AES), upon learning of violations of this policy. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment.

40.517 Internet Usage

Internet access to global electronic information resources on the World Wide Web is provided by the City of Auburn to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via the city's computer communications systems is considered to be part of the official records of the City of Auburn and, as such, is subject to disclosure to law enforcement or other third-parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the City of Auburn. As such, the City of Auburn reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by

federal, state, and local laws.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not obtained authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the City of Auburn in violation of law or the City of Auburn policies may result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action, up to and including termination of employment:

- Stealing, using, or disclosing someone else's code or password without authorization.
- Disclosing information acquired in the course of one's work.
- Violating copyright laws.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the City of Auburn or initiate unwanted Internet services and transmissions.
- Jeopardizing the security of the City of Auburn's electronic communications systems.

While this policy is comprehensive, it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment.

Employees seeking additional information about internet usage may contact their Department Head, the Clerk-Treasurer, or Auburn Essential Services (AES).

40.518 Workplace Monitoring

Workplace monitoring may be conducted by the City of Auburn to ensure quality control, employee safety, security, and citizen satisfaction. Employees who regularly communicate with citizens may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our citizens' image of the City of Auburn as well as their satisfaction with our services.

Computers furnished to employees are the property of the City of Auburn. As such, computer usage and files may be monitored or accessed. Employees tampering with a computer to bypass monitoring systems may be subject to disciplinary action, up to and including termination of employment. Refer to Policy #40.516 – Computer and Email Usage for additional information.

The City of Auburn may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because the City of Auburn is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

40.519 Speaking to the Media

The City of Auburn strives to anticipate and manage crisis situations in order to reduce disruption to employees and to maintain the city's presence as a highly reputable municipality. To best serve these objectives, the City of Auburn will respond to the news media in a timely and professional manner only through designated spokespersons.

Employees seeking additional information about speaking to the media may contact the Mayor's Office.

40.522 Workplace Violence Prevention

The City of Auburn is committed to preventing workplace violence and to maintaining a safe work environment. The City of Auburn has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during working hours or on its premises.

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from being brought into the facilities or vehicles owned, leased, or operated by the City of Auburn without proper authorization.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to a Department Head, or the Human Resources Department. This includes threats by employees, as well as threats by citizens, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a Department Head, or the Human Resources Department. Employees should not place themselves in harm's way. Employees who see or hear a commotion or disturbance near their workstation should not try to intercede or see what is happening.

The City of Auburn will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the City of Auburn may suspend employees, either with or without pay, pending an investigation. Refer to Policy #40.716 – Progressive Discipline for additional information.

The City of Auburn encourages employees to bring their disputes or differences with other employees to the attention of a Department Head, the Clerk-Treasurer, the Human Resources Department, or the Mayor before the situation escalates into potential violence. The City of Auburn is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns. Refer to Policy #40.718 – Problem Resolution for additional information.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

40.526 Mobile Device Usage

The City of Auburn may provide a mobile device for employees in certain job categories where the urgency of communication requires the use of such devices as a business tool.

Employees may have access to a mobile device while in automobiles and should remember that their primary responsibility is driving safely and obeying the rules of the road. Employees are prohibited from using mobile devices to conduct city business or personal matters while driving and should safely pull off the road and come to a complete stop before emailing, texting, accessing data, dialing, or talking on a mobile device.

As a representative of the City of Auburn, mobile device users are reminded that the regular business etiquette employed when speaking from municipal-owned or leased phones or in meetings applies to conversations conducted over a mobile device if used for city business.

Employees are to refrain from talking on their personal mobile devices, texting, emailing, or accessing data during working hours and should conduct their personal business before their shift, during their lunch period or after working hours. Conduct that is in violation of these guidelines may be subject to prompt disciplinary action, up to and including termination of employment.

Employees seeking additional information about mobile device usage may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

LEAVES OF ABSENCE

40.601 Family and Medical Leave Act (FMLA)

Under the Federal Family and Medical Leave Act of 1993, as amended (FMLA), an employee may be eligible for a period of job-protected unpaid leave if they meet the criteria set forth in the FMLA.

General Eligibility
To qualify for FMLA leave an employee:

- must be an employee of the city,
- must have worked at the city for at least 12-months,
- must have worked at least 1,250 hours (paid time off does not count towards the 1,250 hours) during the past 12-month period before the leave is to begin, and
- must work at a worksite at which the city employs at least 50 employees within a 75-mile radius.

Types and Duration of FMLA Leave

- Basic FMLA Leave and Active-Duty Leave
  An employee may be eligible for up to 12-weeks of unpaid leave in a rolling 12-month period for the following reasons:
  - the birth of a child and to care for such child or placement for adoption or foster care of a child;
  - to care for an immediate family member (spouse, child under 18-years old or 18 and over that is incapable of self-care, or parent) with a serious health condition;
  - because of a serious health condition which renders an employee unable to work; or

- "Active-Duty Leave," defined as leave due to any qualifying exigency arising out of the fact that an employee's spouse, son (of any age), daughter (of any age) or parent is a "covered military member". "Covered military member'" means a member of the Armed Forces or a member of the Reserves (including the National Guard or Reserves) who is on "covered active-duty," or has been notified of an impending call or order to covered active-duty. For members of the Armed Forces, "covered active-duty" means duty during deployment of the member with the Armed Forces to a foreign country. For members of the Reserves, "covered active-duty" means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active-duty in a contingency operation.

- Military Caregiver Leave

  An employee also may take military caregiver leave to care for a spouse, son (of any age), daughter (of any age), and parent or next of kin, e.g., closest living relative who is a "covered service member." A "covered service member" is (i) a current service member of the Armed Forces or Reserves, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (ii) a veteran of the Armed Forces (including the National Guard and Reserves) who is discharged (other than dishonorably discharged) within the five-year period before the eligible employee takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. For a current service member, "serious injury or illness" means an injury or illness incurred or aggravated by the covered service member in the line of duty on active-duty that may cause the service member to be medically unfit to perform the duties of their office, grade, rank, or rating. For a veteran, "serious injury or illness" means an injury or illness that rendered the veteran medically unfit to perform their military duties, or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work, regardless of whether the injury or illness manifested before or after the individual became a veteran.

  Eligible employees are entitled to a total of 26-weeks of unpaid military caregiver leave during a single 12-month period. This single 12-month period begins on the first day an eligible employee takes military caregiver leave and ends 12-months after that date.

  The leave entitlement described in this paragraph applies on a per-covered service member, per-injury basis. However, no more than 26-weeks of leave may be taken within a single 12-month period by any covered employee. Even in circumstances where an employee takes other leave covered by the federal FMLA under the bullets in the basic FMLA Leave and Active-Duty Leave section above; the combined leave shall not exceed 26-weeks during that 12-month period.

Definitions

- A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
  (a) in-patient care, e.g., an overnight stay in a hospital or other medical care facility (including any period of incapacitation or any subsequent treatment in connection with such in-patient care);
  (b) a period of incapacitation of more than three consecutive full calendar days, and any subsequent treatment or period of incapacitation relating to the same condition that also

involves (i) treatment two or more times by a health care provider or under the supervision of a health care provider within 30-days of the start of the incapacitation, or (ii) treatment by a health care provider on at least one occasion within seven-days of the start of the incapacitation which results in a regimen of continuing treatment under the supervision of a health care provider;

(c) any period of incapacitation due to pregnancy, or for prenatal care;

(d) any period of incapacitation due to a chronic serious health condition requiring periodic visits of at least twice a year for treatment by a healthcare provider;

(e) a period of incapacitation which is permanent or long-term due to a condition for which treatment may not be effective, during which the employee (or family member) must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or

(f) any period of absence to receive multiple treatments by a health care provider or under the supervision of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that will likely result in a period of incapacitation of more than three consecutive calendar days in the absence of medical intervention or treatment.

- A "qualifying exigency" refers to the following circumstances:
  (a) Short-notice deployment: to address issues arising when the notification of a call or order to active-duty is seven-days or less;
  (b) Military events and related activities: to attend official military events or family assistance programs or briefings;
  (c) Childcare and school activities: for qualifying childcare and school-related reasons for a child, legal ward, or stepchild of a covered military member;
  (d) Care of the military member's parent: for certain activities related to the care of a covered military member's parent who is incapable of self-care, such as arranging for alternative care, providing care on a non-routine, urgent, immediate need basis, admitting or transferring a parent to a new care facility, and attending certain meetings with staff at a care facility, such as meetings with hospice, or social service providers;
  (e) Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member;
  (f) Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
  (g) Rest and recuperation: to spend up to 15-days for each period in which a covered military member is on a short-term rest leave during a period of deployment;
  (h) Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90-days after a covered military member's active-duty terminates or to address issues arising from the death of a covered military member while on active-duty;
  (i) Additional activities for other events where the city and the employee agree on the time and duration of the leave.

When Spouses Work Together

A husband and wife, when both are eligible for FMLA and both work at the city, are eligible for either a combined 12-weeks of unpaid leave for the birth or placement of a child, or to care for a parent who has a serious health condition. A husband and wife will be eligible for a combined 26-weeks of unpaid military caregiver leave as discussed above. If the husband or wife taking military caregiver leave also takes leave for the birth or placement of a child, or to care for a parent who has a serious health

condition, that leave also may count toward the 26-weeks of combined military caregiver leave during a single 12-month period.

Notice of Need for FMLA Leave
If the leave is foreseeable (birth or placement, planned medical care, leave due to active-duty of an immediate family member), the employee must provide at least 30-day's advance notice. If circumstances prevent providing the 30-day's advance notice, then the employee should provide as much notice as possible. If an employee fails to give the required notice for foreseeable leave with no reasonable excuse, the employee may be denied the taking of the leave until the employee provides adequate notice of need for the leave. Employees should make every reasonable effort to schedule medical treatments so as not to disrupt the ongoing operations of the department.

Intermittent FMLA Leave
Intermittent leave also may be available depending upon an employees' serious health condition, or an employee's immediate family member's serious health condition. Intermittent or reduced schedule leave for the birth or placement of a child for adoption or foster care may be taken only with approval from the Department Head, and the Human Resources Department, in writing. Military caregiver leave may be taken intermittently or on a reduced leave schedule when medically necessary. Intermittent or reduced leave may not exceed the total hours an employee would have worked during their regular 12-week schedule. If intermittent or reduced leave is approved, the city may require the employee to schedule the leave so as not to unduly disrupt its operations, or the employee may be placed in an alternate position which better accommodates the intermittent leave schedule. Refer to Policy #40.704 – Attendance and Punctuality for additional information.

Employees taking intermittent leave must follow the city's standard call in procedures absent unusual circumstances.

Documentation Supporting FMLA Leave
An employee's reason for the leave must be covered under FMLA and they must provide a completed FMLA Certification of Health Care Provider Form supporting the need for the leave. A request for reasonable documentation of family relationship verifying the legitimacy of a FMLA leave may also be required.

The employee will have 15-days in which to return a completed certification form following receipt of the form from the city. If the employee fails to provide timely certification after being required to do so, they may be denied the taking of the leave under the FMLA. If the certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven-days after receiving such written notice to provide the necessary information.

If there is reason to doubt the validity of the medical certification, a second opinion, at the expense of the city, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of the city, may be required. The opinion of the third health care provider, which the city and the employee jointly select, will be the final and binding decision.

A request for Active-Duty Leave must be supported by the Certification of Qualifying Exigency for Military Family Leave form as well as appropriate documentation, including the covered military member's active-duty orders. A request for military caregiver leave must be supported by the Certification for Serious Injury or Illness of Covered Service member form as well as any necessary supporting documentation.

Recertification
Under certain circumstances as provided by law, including, but not limited to situations in which the need or nature of the approved leave changes, the city may, in its sole discretion, require recertification of an employee's serious health condition.

Return to Work
If an employee's position is eliminated during their FMLA leave time, e.g., layoff, departmental restructuring, etc. the employee will not be entitled to return to their former or an equivalent position. Employees whose FMLA leave was for their own personal medical condition must, prior to reinstatement, submit a medical certification to the Human Resources Department, as to their ability to return to work, subject to a second medical opinion as deemed necessary by the city, or a third medical opinion as provided in the FMLA. Employees who do not return to work immediately following release from the health care provider as fully restored to perform all the essential functions of their position, will be considered to have voluntarily terminated employment as of the date of the release. Employment will be terminated if an employee is not able to return to work at the end of the FMLA.

Substitution of Paid Leave
Employees must substitute any paid time off, e.g., vacation benefits, sick leave benefits, or personal days for unpaid FMLA leave. FMLA and any paid time off, run concurrently. The entire 12-week FMLA is not in addition to the paid leave, however, is any remaining portion after the paid leave time is subtracted. If an employee requires leave in excess of the weeks for which they are eligible, they will not be assured a position with the City of Auburn upon their return.

Benefits during FMLA Leave
During the approved FMLA leave, the employee's coverage under the city's benefits will continue, but if the employee goes without pay, they must pay their share of any payroll-related deductions, if applicable. It is the employees' responsibility to make arrangements with the Human Resources Department to pay their portion of the payroll-related deductions during the unpaid period of absence.

Employees seeking additional information about FMLA may contact their Department Head, or the Human Resources Department.

40.602 Indiana Military Family Leave

Under the Indiana Military Family Leave Act, eligible employees may be able to spend time with family members who have been called up for active-duty in the military.

Eligibility
To be eligible for Indiana Military Family Leave, an employee must have been employed with the City of Auburn for at least 12-months and must have worked at least 1,500 hours during the 12-month period immediately preceding the leave.

The deployed family member must be either:

- A legal spouse as defined under Indiana Code (IC) 31-11-1;
- A child as defined as (1) a biological child, (2) adopted child, (3) foster child or (4) stepchild;
- A parent as defined as (1) a biological father or mother, (2) an adoptive father or mother, (3) a court appointed guardian or custodian, (4) a foster parent, or (5) a stepparent;
- A sibling defined as (1) a biological brother or sister, (2) an adoptive brother or sister, (3) a foster brother or sister, or (4) a stepbrother or stepsister;

- A grandparent as defined as (1) a biological grandparent, (2) an adoptive grandparent, (3) a foster grandparent, or (4) a step-grandparent.

Eligible employees are provided an unpaid leave of absence of up to 10 working days (consecutive or nonconsecutive) per year when the employee's family member, as defined above, who is a member of the U.S. Armed Forces, the U.S. Armed Forces Reserve Unit, or the Indiana Air or Army National Guard, is deployed for full-time military service on active-duty orders for 89-days or longer. For purposes of this policy, a year will consist of a rolling calendar year looking back from the date the leave is scheduled to begin.

The City of Auburn will require employees to use or exhaust any paid time off prior to taking unpaid time off for Indiana Military Family Leave. Vacation benefits, sick leave benefits, or personal days taken under this policy will count toward, and not be in addition to, the 10 working days of Indiana Military Family Leave. Requests by employees for an exception to this requirement must be made in writing to the Human Resources Department and must state the reason for requesting the exception.

Health care benefits in which the eligible employee participated before taking leave under this policy will be continued during the leave period under the same conditions. An eligible employee taking leave under this policy will be required to pay the employee's portion of the health care or other-related payroll deductions normally withheld from the employee's paycheck and should make arrangements to do so with the Human Resources Department prior to the leave.

Timing of Leave
An eligible employee may take up to a total of 10 unpaid working days (consecutive or nonconsecutive) of Indiana Military Family Leave during a year. The days may be taken during one or more of the following periods, but may not exceed 10-days total:

- During the 30-days before active-duty orders are in effect;
- During a period in which the family member ordered to active-duty is on leave while active-duty orders are in effect; and/or
- During the 30-days after the active-duty orders are terminated.

Notice of Intent to Take Leave
An eligible employee who wants to take an unpaid Indiana Military Family Leave under this policy must request leave under the policy by providing written notice of the date the leave will begin, including a copy of the active-duty orders, if available, to the Department Head, or the Human Resources Department. The notice must be given at least 30-days before the date on which the employee intends to take the leave, unless the active-duty orders are issued less than 30-days before the date the requested leave is to begin. In that situation, notice should be provided as soon as possible after the active-duty orders are issued.

Concurrent Leaves
To the extent an employee's Indiana Military Family Leave also qualifies for some other type of leave (such as FMLA); such leaves will run concurrently to the full extent allowed by law.

Employees seeking additional information about Indiana Military Family Leave may contact their Department Head, or the Human Resources Department.

40.603 Personal Leave

The city may provide a leave of absence without pay to eligible employees who wish to take time off from work duties to attend to medical needs. Employees in the following employment classification(s) may be eligible to request personal leave as described in this policy:

- Regular full-time employees after one-year of employment

As soon as eligible employees become aware of the need for a personal leave of absence, but not less than five working days prior to the leave, they should request a leave from their Department Head. Requests for personal leave will be evaluated based on a number of factors including anticipated workload requirements and staffing considerations during the proposed period of absence. Final decisions on who receives a personal leave and the amount of time granted will be made at the sole discretion of the Department Head, the Mayor, and the Board of Public Works & Safety.

Personal leave may be granted for a period of up to 30 calendar days every one-year. If this initial period of absence proves insufficient, consideration may be given to a written request for a single extension of no more than 30 calendar days. Employees must first utilize all available vacation benefits, sick leave benefits, and personal days, if applicable, as part of the approved period of leave prior to utilizing any approved unpaid time off. Employees will not continue to earn vacation benefits, sick leave benefits, personal days, holidays, bereavement leave, or any other paid time off benefits during the time of the unpaid personal leave. Employees are required to make arrangements with the Human Resources Department to pay for all payroll-related deductions during the term of absence in advance of the personal leave.

Any unpaid leave taken under this policy that qualifies as FMLA leave will count toward the 12-weeks of available FMLA in 12-months. Refer to Policy #40.601-Family and Medical Leave Act (FMLA) for additional information.

Employees seeking additional information about a personal leave may contact their Department Head, or the Human Resources Department.

40.605 Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will continue to receive full pay while on leave for up to 15-days. The portion of any military leaves of absence in excess of 15-days will be unpaid. However, employees may use any paid time off, e.g., vacation benefits, sick leave benefits, or personal days for the absence.

Continuation of medical insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Vacation benefits, sick leave benefits, personal days, holidays, bereavement leave, and all other paid time off benefits will be suspended during the leave after the first 30-days and will resume upon the employee's return to active employment.

Employees on military leave for up to 30-days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Michigan
Employees who reside in Michigan and who are called to active state or federal duty in the National Guard, or the military or naval forces of Michigan or any other state, may take unpaid leave. Employees may also take unpaid leave to take a physical, enlist, be inducted, or attend training.

Employees seeking additional information about military leave may contact their Department Head, or the Human Resources Department.

40.606 Indiana Child Educational Activities Leave

The City of Auburn will provide unpaid child educational activities leave for all employees to attend a conference regarding school attendance or to attend a meeting regarding an Individualized Education Program (IEP) for a student with a disability. Student is defined as a biological child, adopted child, foster child, or stepchild of the employee. An employee is entitled to take leave for no more than one attendance conference or one IEP meeting per calendar year. Employees must provide notice of the conference or meeting at least five-days in advance, and the employee must make a reasonable effort to schedule the conference or meeting as an electronic conference or meeting. The employee must also provide the employer with documentation that the employee attended a conference or meeting for a reason as described in this policy. The time off is unpaid. However, employees may use any vacation benefits, personal days, compensatory time, etc. to cover the time, if needed.

Employees seeking additional information about the Indiana Child Educational Activities Leave may contact their Department Head, or the Human Resources Department.

EMPLOYEE CONDUCT & DISCIPLINARY ACTION

40.701 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the City of Auburn expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of city-owned or leased, or citizen-owned property.
- Falsification of timekeeping records or any other city-related document.
- Soliciting or accepting gratuities from citizens or visitors.
- Working under the influence of alcohol or illegal drugs.

- Manufacturing, distributing, dispensing, possessing, purchasing, selling, using, transferring, or being under the influence of alcohol or illegal drugs in the workplace, while on duty, or while operating city-owned or leased vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Being insubordinate, threatening, intimidating, disrespectful, or assaulting a coworker, citizen, or vendor.
- Unauthorized use of city-owned or leased equipment, machines, tools, or vehicles, etc. or the unauthorized transportation of passengers in a city-owned or leased vehicle.
- Negligence or improper conduct leading to damage of city-owned or leased, or citizen-owned property.
- Excessive documented tardiness or absenteeism.
- Violation of safety or health rules.
- Smoking is not permitted in the workplace, or in city-owned or leased vehicles.
- Gambling on any city-owned or operated, or citizen's premises during working hours.
- Sexual or other unlawful or unwelcome harassment or discrimination.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
- Unauthorized use of telephones, mail systems, or other city-owned or leased equipment.
- Unauthorized disclosure of business "secrets" or confidential information acquired in the course of one's work.
- Entering or leaving the city's facilities without permission.
- Violation of any personnel policy.
- Unsatisfactory performance or conduct.
- Fraudulently obtaining workers' compensation benefits.
- Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.

Employment with the City of Auburn is at the mutual consent of the city and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

40.702 Drug and Alcohol Use/Testing

It is the City of Auburn's desire to provide a drug-free, healthful, and safe working environment for all employees and ensure the reputation of the City of Auburn and its employees, while complying with the United States Drug-Free Workplace Act. To promote these goals, employees are required to report to work in appropriate mental and physical condition to perform their jobs.

Employees who must comply with the Federal Motor Carrier Safety Administration (FMCSA) and the Department of Transportation (DOT) guidelines may refer to the Employee Education Information Document regarding the FMCSA/DOT Drug and Alcohol Testing Program.

While conducting business on behalf of the City of Auburn, no employee may manufacture, distribute, dispense, possess, purchase, sell, use, or be under the influence of alcohol or illegal drugs or in possession of drug paraphernalia. In addition, the unauthorized use or possession of prescription drugs, over-the-counter drugs, or CBD oils is prohibited. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks.

To help ensure a safe and healthful working environment the City of Auburn may conduct drug and alcohol testing under any one of the following circumstances:

Types of Screenings
All employees are subject to the following screenings:

- Post-Offer Screening
- Reasonable Suspicion Screening
- Post-Accident Screening
- Random Selection Screening

Employees who are in safety sensitive jobs and employees that are required to maintain a Commercial Driver's License (CDL) are subject to the following screenings:

- Random Selection Screening
- Reasonable Suspicion Screening
- Post-Accident Screening

An employee who refuses to submit to a screening as stated above will have violated the terms of this policy and will be subject to termination of employment.

Employees may be asked to provide body substance samples, such as urine, blood, hair and/or saliva, to determine the illicit use of drugs and/or alcohol. The legal use of prescribed drugs, over-the-counter drugs, and CBD oils are permitted on the job only if they do not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Employees who are taking prescription drugs, over-the-counter drugs, or who are using CBD oils at the time of the testing will be required to inform the testing facility of those legally prescribed drugs, over-the-counter drugs, or CBD oils that they are currently utilizing. This information will be considered confidential under the guidelines of the Health Insurance Portability and Accountability Act (HIPAA). Refer to Policy #40.214 – Medical Information Privacy for additional information.

Employees who are not able to provide sufficient body substance samples will be evaluated by a physician selected by the City of Auburn. If the physician cannot find a legitimate medical explanation for the inability to provide a body substance sample, it will be considered a refusal to test. In that circumstance, the applicant or employee has violated one of the prohibitions of the policy.

Both drug and alcohol testing may be performed on an employee following any accident involving a fatality or any accident in which the driver receives a citation under any state or local law for a moving traffic violation arising from an accident. An accident is defined as an incident involving a vehicle in which there is a fatality, an injury treated away from the scene, or where the vehicle is towed from the scene. When a post-accident drug or alcohol test is required, it should be performed as soon as possible following the accident. If no alcohol testing is able to be done within eight-hours, attempts to collect a breath or blood sample will cease and if no urine specimen is obtainable within 32-hours, attempts to make such a collection will cease. As with any accident or injury, employees are required to contact their Department Head and the Human Resources Department immediately. Refer to Policy #40.306 – Workers' Compensation Insurance, Policy #40.501 – Safety, Policy #40.509 – Use of Equipment, Machines, and Tools, and Policy #40.510 - Use of Municipal-Owned or Leased Vehicles for additional information.

All Department of Transportation (DOT) alcohol and drug testing performed on employees will be in accordance with required DOT procedures. These include the use of special testing forms, trained personnel, and special processes and handling to ensure the integrity and accuracy of the testing

process. Information related to testing will be treated as confidential except as required to comply with DOT requirements, safeguard the safety of employees and the public, or as otherwise legally required.

Return-to-duty testing may be required for employees who want to return to work after being off of work due to a leave of absence, suspension, or other long-term reason. Testing in this circumstance will be determined at the discretion of the Department Head, and the Human Resources Department. However, refusal to participate will be considered as the employee violating one of the prohibitions of the policy.

Employees of the City of Auburn may be required to submit for medical examinations. If an employee is required to submit to a medical examination as required, a drug and/or alcohol test may be included as part of the examination. Refusal to participate will be considered as the employee violating one of the prohibitions of the policy. Refer to Policy #40.106 – Employee Medical Examinations for additional information.

Violations of this policy and/or substitution, adulteration or refusal to submit to drug and/or alcohol testing may lead to the rescinding of an employment offer to an applicant, disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program for current employees. Such violations may also have legal consequences and the City of Auburn will cooperate with all law enforcement officials.

Michigan
Qualifying employees who reside in Michigan with a valid medical marijuana registry identification card may not be punished for their lawful possession or use of medical marijuana. Recreational marijuana is permitted for those 21-years and older. However, the city will not permit or accommodate the ingestion of marijuana in any workplace or any employee working while under the influence of marijuana.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify their Department Head, or the Human Resources Department of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five-days of the conviction.

While this policy is comprehensive, it is not all inclusive and employees whose jobs are governed by the guidelines of the Department of Transportation (DOT) or the Federal Motor Carrier Safety Administration (FHWA), will be required to follow those regulations surrounding substance abuse, as appropriate. Employees with questions on this policy or issues related to drugs or alcohol use/testing may raise their concerns with their Department Head, or the Human Resources Department. Employees may raise questions or concerns without fear of reprisal.

40.703 Sexual and Other Unlawful Harassment

The City of Auburn is committed to developing a work environment free of unlawful harassment and discrimination. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City of Auburn expects that all relationships among persons in the organization will be business-like and free of bias, prejudice, and harassment.

Equal Employment Opportunity
It is the policy of the City of Auburn to ensure equal employment opportunity without harassment or

discrimination on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state, and local laws. The City of Auburn prohibits any such harassment or discrimination.

Definitions of Harassment
Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purpose of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive working environment.

I. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; improper use of email or voice mail; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures including screen savers or improper emails or attachments; and other physical, verbal, or visual conduct of a sexual nature.

II. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that derogates or shows hostility or aversion toward an individual on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by law or that of their relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; derogatory jokes; and written or graphic material that derogates or shows hostility or aversion toward an individual or group or that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

Individuals found to be performing such harassing conduct may be subject to disciplinary action, up to and including termination of employment.

Individuals and Conduct Covered
These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the City of Auburn, e.g., an outside vendor, consultant, or citizen.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social

events.

Retaliation Is Prohibited
The City of Auburn encourages reporting of all perceived incidents of harassment and discrimination. It is the policy of the City of Auburn to investigate such reports. The City of Auburn prohibits retaliation against any individual who reports harassment or discrimination, or participates in an investigation of such reports.

Reporting an Incident of Harassment, Discrimination, or Retaliation
The City of Auburn encourages reporting of all perceived incidents of harassment, discrimination, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of harassing conduct should discuss their concerns with their Department Head, or the Human Resources Department.

In addition, the City of Auburn encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The City of Auburn recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures.

Complaint Procedures
If for any reason an individual does not wish to address the offender directly, or if addressing the offender does not successfully end the offensive conduct, the individual should notify their Department Head, or the Human Resources Department. In addition, there may be instances in which an individual seeks only to discuss matters with one of the City of Auburn designated representatives, and such discussion is encouraged.

An individual reporting harassment, discrimination or retaliation should be aware however, that the City of Auburn may find it necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual.

As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with their Department Head, or the Human Resources Department.

The City of Auburn encourages the prompt reporting of complaints or concerns so that rapid and corrective action may be taken before relationships become irreparably damaged. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct, or may have other relevant knowledge.

Retaliation against an individual for reporting harassment, or discrimination, or for participation in an investigation of a claim of harassment, or discrimination is a serious violation of this policy and, like harassment, or discrimination itself, will be subject to disciplinary action, up to and including termination of employment. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include, retraining, referral to counseling and/or disciplinary action up to and including termination of employment, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay as deemed appropriate under the

circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the Board of Public Works & Safety.

Confidentiality
The City of Auburn will make all reasonable efforts to maintain the confidentiality of all parties involved in a harassment investigation. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the harassment complaint.

False Claims of Sexual Harassment, Discrimination, and/or Retaliation
In order to cover all possibilities of misconduct, the City of Auburn reserves the right to discipline employees who have falsely accused another of sexual harassment, discrimination, and/or retaliation. This does not mean that a complaint will be considered "false" solely because it cannot be corroborated.

Conclusion
The City of Auburn has developed this policy to ensure that all its employees may work in an environment free from harassment, discrimination, and retaliation. The City of Auburn will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of the City of Auburn prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges, and prerequisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

Employees seeking additional information about sexual and other unlawful harassment may contact their Department Head, or the Human Resources Department.

40.704 Attendance and Punctuality

To maintain a safe and productive work environment, the city expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on the business operations of the city.

Employees are expected to report to work as scheduled, on time, and prepared to start work. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head, at least two-hours prior to the start of their shift, or as soon as possible in advance of the anticipated absence or tardiness. Nonexempt employees who are either absent or tardy from work must use any available paid time off, e.g., vacation benefits, sick leave benefits, or personal days, to cover the missed time. Regular full-time employees may not take unpaid time to cover the absence or tardiness.

A tardy or absence is considered excused if one of the following has been met:

- The Department Head has been notified, in person, in advance, or in a timely manner and has granted permission for the tardy or absence.
- Emergencies that are backed by documentation and/or bad weather or natural hazards.
- Vacation benefits, sick leave benefits, personal days, bereavement leave, jury duty, or military leave will not be counted against an employee's attendance record. The use of paid time off in which the Department Head has been notified may be an excused absence.
- All requests for foreseeable time off, such as, but not limited to vacation benefits, sick leave benefits, or personal days must be requested to the Department Head, via the payroll system, at least 24-hours prior to the absence, when possible.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment in accordance with the following:

- Tardiness
  - Three tardies in a rolling 30-day period, will result in a verbal warning placed in the employee's personnel file.
  - Five tardies in a rolling 60-day period, will result in a written warning placed in the employee's personnel file.
  - Six or more tardies in a rolling 90-day period, may result in termination of employment.
- Absenteeism
  - An unexcused absence is defined as an absence from work after all vacation benefits, sick leave benefits, and personal days have been utilized, or prior approval of the time off by the Department Head was not pre-approved.
  - One unexcused absence will result in a written warning placed in the employee's personnel file.
  - Two unexcused absences will result in additional disciplinary action, up to and including termination of employment, unless the Department Head determines that the unexcused absence was "unavoidable", then a written warning will be placed in the employee's personnel file.
  - Additional unexcused absences will result in termination of employment.

Employees seeking additional information about attendance and punctuality may contact their Department Head, or the Human Resources Department.

40.705 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the City of Auburn presents to citizens and visitors. During working hours or when representing the City of Auburn, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards. This is particularly true if their job involves dealing with citizens or visitors in person.

Department Heads are responsible for establishing a reasonable dress code appropriate to the jobs performed. Additionally, some employees are provided uniforms, whether bought or rented, which must be worn while on duty and may only be worn while on duty. If a Department Head, the Clerk-Treasurer, or the Mayor feels that an employee's personal appearance is inappropriate, the employee may be asked to leave the workplace until they are properly dressed or groomed. Under such

circumstances, nonexempt employees may not be compensated for the time away from work.

Employees may consult their Department Head, or the Human Resources Department if they have questions as to what constitutes appropriate appearance. When necessary, reasonable accommodations may be made for a person with a disability or for a sincerely held religious belief, as required by law.

40.706 Return of Property

Employees are responsible for all city-owned or leased property to include:

- Credit Cards
- Guns and Ammunition
- Keys or Key Fobs
- Laptops and Printers
- Personal Protective Equipment (PPE)
- Security Codes
- Tools and Equipment
- Uniforms
- Written Manuals and Information

Employees must return all city-owned or leased property immediately upon request, or upon termination of employment. Where permitted by applicable laws, the city may withhold from the employee's check or final paycheck the cost of any items that are not returned when required if the employee has signed a written agreement with the city allowing them to do so. The city may also take legal action deemed appropriate to recover or protect its property.

40.707 Sexual Abuse and Molestation Prevention

The City of Auburn is committed to preventing both sexual abuse and molestation in the workplace. In order to make this “zero tolerance” policy clear to all employees, the city has adopted mandatory procedures that all employees must follow when they learn of, or witness sexual abuse, or molestation during the course of their employment with the City of Auburn.

Definitions of Sexual Abuse and Molestation
Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of an employee who comes in contact with a child or adult during the course of one’s work for the City of Auburn. Sexual abuse includes sexual assault, exploitation, molestation, or injury of another employee, citizen, or visitor, whether they are a child or an adult. It does not include sexual harassment, which is another form or behavior which is prohibited by the City of Auburn. Refer to Policy #40.703 – Sexual and Other Unlawful Harassment for additional information.

There are a number of “red flags” that may suggest that someone is being sexually abused. They may take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes but is not limited to:

- Sexually Transmitted Disease
- Difficulty Walking or Ambulating Normally
- Stained, Bloody, or Torn Undergarments

- Genital Pain or Itching
- Physical Injuries Involving the External Genitalia

Behavioral evidence of sexual abuse includes but is not limited to:

- Fear or reluctance about being left in the care of a particular person.
- Recoiling from being touched.
- Bundling oneself in excessive clothing, especially night clothes.
- Discomfort or apprehension when sex is referred to or discussed.
- Nightmares or fear of night and/or darkness.

Individuals and Conduct Covered
This policy applies to all employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the City of Auburn, e.g., an outside vendor, consultant, or citizen.

Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside of the workplace, such as during business trips, business meetings, and business-related social events.

Retaliation is Prohibited
The City of Auburn encourages reporting of all perceived incidents of sexual abuse and molestation. It is the policy of the City of Auburn to investigate such reports. The City of Auburn prohibits retaliation against any individual who reports incidents of sexual abuse and molestation or participates in an investigation of such reports.

Reporting an Incident of Sexual Abuse or Molestation
The City of Auburn encourages reporting of all perceived incidents of sexual abuse or molestation or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of sexual abuse, molestation, or retaliation or who have knowledge of such incidents, should discuss their concerns with their Department Head, or the Human Resources Department.

If the victim is an adult, the abuse will be reported by the City of Auburn to the local or state Adult Protective Services (APS) Agency. If a child is the victim, the City of Auburn will report the incident to the state or local Child Abuse Agency. Appropriate family members of the victim will also be notified immediately of the suspected sexual child abuse.

Complaint Procedures
The City of Auburn encourages the prompt reporting of complaints or concerns so that rapid and corrective action may be taken before relationships become irreparably damaged. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of sexual abuse, molestation, or retaliation.

Any reported allegation of sexual abuse, molestation, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The City of Auburn will cooperate fully with any investigation that is conducted by law enforcement or regulatory agencies and may also refer the complaint and the result of their investigation to those agencies.

Retaliation against an individual for reporting sexual abuse, molestation, or retaliation for participation in an investigation of a claim of sexual abuse, molestation, or retaliation is a serious violation of this policy and, like sexual abuse or molestation itself, may be subject to disciplinary action, up to and including termination of employment. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include retraining, referral to counseling and/or disciplinary action, up to and including termination of employment, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay, as deemed appropriate under the circumstance.

As noted above, individuals who believe that they have been the victims of conduct prohibited in this policy statement or who believe they have witnessed such conduct may discuss their concerns with their Department Head, or the Human Resources Department.

If a party to a complaint does not agree with its resolution, that party may appeal to the Board of Public Works & Safety.

Confidentiality
The City of Auburn will make all reasonable efforts to maintain the confidentiality of all parties involved in a sexual abuse or molestation investigation. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the sexual abuse or molestation complaint. Identities of minors will be protected in accordance with both federal and state laws.

False Claims of Sexual Abuse, Molestation, and/or Retaliation
In order to cover all possibilities of misconduct, the City of Auburn reserves the right to discipline employees who have falsely accused another of sexual abuse, molestation, or retaliation. This does not mean that a complaint will be considered “false” solely because it cannot be corroborated.

Conclusion
The City of Auburn has developed this policy to ensure that all its employees may work in an environment free from sexual abuse, molestation, and retaliation. The City of Auburn will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Employees seeking additional information about sexual abuse and molestation prevention may contact their Department Head, or the Human Resources Department.

40.708 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the City of Auburn. Although advance notice is not required, the City of Auburn requests at least two-weeks' written notice from all employees. Employees who plan to retire are urged to provide the City of Auburn with a minimum of two-months’ notice. This will allow ample time for the processing of the appropriate pension forms and to ensure that any retirement benefits to which an employee may be entitled commence in a timely manner. Prior to an employee's departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire. Refer to Policy #40.405 – Employment Terminations for additional information.

40.709 Ghost Employment

The city is committed to providing efficient and lawful services to its citizens and to maintaining public trust. Therefore, "ghost employment" is a violation of city policy and of Indiana Code (IC) 35-44.1-1-3. Ghost employment is a Level 6 felony.

A public servant who knowingly or intentionally hires an employee for a governmental entity and fails to assign the employee any duties, or assigns duties not related to the operation of the governmental entity, is committing ghost employment.

Additionally, a public servant employed by a governmental entity knowing that they have not been assigned any duties to perform for the entity and accepts property (compensation) from the entity, or a public servant who knowingly or intentionally accepts property (compensation) from the entity for the performance of duties not related to the operation of the entity, commits ghost employment.

Examples of violations of this policy include, but are not limited to, performing work on public property that is not job-related, authorizing or receiving payment for time not worked, and authorizing or receiving payment for leave time not authorized by the city's paid leave policies. Violations of this policy will result in disciplinary action, up to and including termination of employment, in addition to potential prosecution under Indiana Code (IC) 35-44.1-1-3.

Employees seeking additional information about ghost employment may contact their Department Head, or the Human Resources Department.

40.710 Security Inspections

The City of Auburn wishes to maintain a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, the City of Auburn prohibits the manufacturing, distribution, dispensing, possession, transfer, sale, or use of such materials in its facilities. The City of Auburn requires the cooperation of all employees in administering this policy. Refer to Policy #40.702 – Drugs and Alcohol Use/Testing for additional information.

The City of Auburn also wishes to discourage theft or unauthorized possession of the property of employees, the City of Auburn, visitors, and citizens. To facilitate enforcement of this policy, the City of Auburn or its representative may inspect not only desks and lockers, but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the City of Auburn's premises.

Computers, desks, lockers, and other storage devices may be provided for the convenience of employees, but remains the sole property of the City of Auburn. Accordingly, they, as well as any articles found within them, may be inspected by any agent or representative of the City of Auburn at any time, either with or without prior notice. This includes purses, briefcases, and personal devices located on the City of Auburn's property, based on reasonable cause, as well as all city-owned or leased property used by employees, whether secured or unsecured by a lock or locking device provided by the employee, based on reasonable suspicion. An employee's personal items may be held so that law enforcement officials may conduct the search.

Employees seeking additional information about security inspections may contact their Department Head, or the Human Resources Department.

40.711 Facilities Security

It is the responsibility of all employees to make sure the facilities and work areas are secure. Any employee entrusted with facility keys will make certain the facility is secure when that employee is the last to leave. This includes, but is not limited to, turning off appropriate lights, and closing and locking all doors and windows.

Employees should contact a Department Head, the Clerk-Treasurer, the Mayor, or security personnel to report any potential security risks or concerns.

40.712 Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by the City of Auburn may not solicit or distribute literature in the workplace at any time for any purpose.

The City of Auburn recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not engaged in performing their work-related tasks.

In addition, the posting of written solicitations on city bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Payday notice
- Workers' compensation insurance information

All approved messages will be posted by an employee specifically designated by the City of Auburn. If an employee has a message of interest to the workplace, they may submit it to the Human Resources Department for approval.

40.716 Progressive Discipline

The purpose of this policy is to state the City of Auburn’s position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The City of Auburn’s own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. Department Heads, the Clerk-Treasurer, and the Mayor are responsible for taking action in a progressive disciplinary situation with employees or may face disciplinary action themselves.

Although employment with the City of Auburn is based on mutual consent and both the employee and the City of Auburn have the right to terminate the employment-at-will relationship, with or without

cause or advance notice, the City of Auburn may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Copies of all progressive disciplinary action reports and/or coaching/counseling notes must be placed in the employee's personnel file in the Human Resources Department.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed:

- A first offense may call for a written verbal warning.
- A second offense may be followed by a written warning.
- A third offense may lead to a suspension when further investigation is warranted.
- A fourth offense may then lead to termination of employment.

The City of Auburn recognizes that there are certain types of employee problems that are serious enough to justify either a suspension when further investigation is warranted, or, in extreme situations, termination of employment, without going through the usual progressive disciplinary action steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, Policy #40.701 - Employee Conduct and Work Rules includes examples of problems that may result in immediate termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline. By using progressive discipline, we hope that most employee problems may be corrected at an early stage, benefiting both the employee and the City of Auburn.

Public Safety Department employees seeking additional information may refer to the Fire Department Standard Operating Guidelines (SOGs) or Police Department Standard Operating Procedures (SOPs).

Employees seeking additional information about progressive discipline may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

40.718 Problem Resolution

It is the policy of the City of Auburn to ensure that employees' who have questions, issues, and complaints arising from misunderstandings and the application of policies, procedures, and work rules be promptly heard, answered and action taken to resolve or clarify each situation.

Any employee who has a question, issue, or complaint with the City of Auburn or another employee should follow these steps:

- Employees should talk with the individual with whom they have an issue to try and come to a resolution of the problem or situation.
- If talking with the employee does not satisfy the problem or situation, or if the employee alternately chooses to initially submit a problem for resolution, then the employee should contact their Department Head to discuss the problem or situation, as soon as possible.
- If the problem or situation is not satisfactorily resolved or the problem or situation is with the Department Head, the complaint will be referred to the Human Resources Department.

- The Human Resources Director will report any complaints raised under this policy to the Board of Public Works & Safety, and the investigation and/or resolution of the same.

While the steps listed above are guidelines for successful problem resolution, they are not all-inclusive and any step may be bypassed, as appropriate on a case-by-case basis. The Human Resources Department is also responsible to provide counsel and advice for preparing a problem for resolution.

Employees seeking additional information about problem resolution may contact their Department Head, or the Human Resources Department.

40.722 Workplace Etiquette

The City of Auburn strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues may be addressed by politely talking with a coworker to bring the perceived problem to their attention. In most cases, common sense will dictate an appropriate resolution. The City of Auburn encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help employees be more conscientious and considerate of their coworkers and the work environment. Employees should contact their Department Head, or the Human Resources Department if they have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- Return copy machine and printer settings to their default settings after changing them.
- Replace paper in the copy machine and printer paper trays when they are empty.
- Retrieve print jobs in a timely manner and be sure to collect all papers.
- Be prompt when using the manual feed on the printer.
- Keep the area around the copy machine and printers orderly and picked-up.
- Be careful not to take or discard others' print jobs or faxes when collecting papers.
- Avoid public accusations or criticisms of others in the workplace. Address such issues privately with those involved, or a Department Head, or the Human Resources Department.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how voices travel. Employees should try to lower the volume of their voices when talking on the phone or to others in open areas.
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of personal life/issues in public conversations that may be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone when in the proximity of others.
- Clean-up and do not leave behind waste or discarded papers.
- Keep all desks and work areas neat and orderly.

- Thoroughly clean-up after utilizing break and kitchen areas.

Employees seeking additional information about workplace etiquette may contact their Department Head, the Clerk-Treasurer, or the Human Resources Department.

MISCELLANEOUS

40.802 Political Activity

Employees of the City of Auburn are encouraged to support governments in our political system. However, there are limits on employee political activity. City of Auburn employees may join civic, partisan, or political organizations, may attend political meetings and advocate the principles or policies of civic or political organizations in accordance with the Constitution and federal and state laws.

Although any solicitation, refer to Policy #40.712 – Solicitation by employees of the City of Auburn during working hours is strictly prohibited, employees must make every effort to avoid the appearance of impropriety when engaging in political activities on their own time. Employees must note that they are engaging in political activity on their own time and not on behalf of the City of Auburn. Employees must also refrain from discussing municipal business during political discussions. Employees must also refrain from using city-owned or leased vehicles, equipment, etc., or wearing a municipal uniform while campaigning or attending campaign events. No City of Auburn employee should be required to contribute money or anything of value to any candidate for nomination, or election to any office, campaign or political committee or be required to take part in any political campaign. In addition, receiving gifts, remuneration of any type or monetary reward in exchange for political activities while conducting or that conflict with municipal business is prohibited. Nothing is this policy will be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees seeking additional information about political activity may contact their Department Head, the Clerk-Treasurer, or the Mayor.

40.803 Whistleblower Policy

In its continuing effort to build upon its strong corporate governance standards, the city has established procedures for its employees to convey complaints or to identify concerns (a “complaint”) regarding violations of legal and regulatory requirements to which the city is bound. Such complaints may be related to financial reporting and disclosure requirements, preparation of financial statements, accounting practices, internal accounting controls, financial audit matters, matters concerning fraud against the city, or inappropriate use of the city’s resources (collectively, “Disclosure Matters”).

The city also respects its employees’ legal right to report actual or suspected unlawful activity directly to government agencies, to their Department Head, the Clerk-Treasurer, or to the Mayor’s Office. It is the city’s responsibility to ensure that employees feel comfortable reporting actual or suspected unlawful activity to government agencies, to their Department Head, the Clerk-Treasurer, the Human Resources Department, the Mayor or their designee, or the President of the Common Council.

Filing a Complaint
Any employee should submit a good faith complaint regarding questionable treatment or alleged violations with respect to the Disclosure Matters that an employee cannot foresee resolving through the city’s problem resolution process. Employees should follow the procedures described below to

submit a complaint:

- A complaint may be submitted in writing, confidentially and anonymously, through internal or regular mail or may be delivered in person to a Department Head, or to the Mayor's Office. If an employee desires to discuss the matter in person they may call the Department Head, or the Mayor's Office, instead of submitting the complaint in writing.
- If the complaint involves the President of the Common Council, or a member of the Common Council, the employee should contact another member of the Common Council by phone or U.S. Mail. Submissions may be made anonymously.
- Complaints should be factual and contain as much specific information as possible setting forth all of the information that the employee knows, in order to allow the representative to make a proper assessment. Any envelope containing a complaint should be marked *"confidential and private."*

Handling Complaints
Upon receipt of a complaint, a Department Head, the Mayor's Office, the President of Common Council, or their designee, will conduct an initial screening of the complaint to assess its nature, legitimacy, and significance. To the extent possible, all complaints will be handled in a confidential manner. All submissions, inquiries, and discussions will be documented by the Department Head, the Clerk-Treasurer, the Mayor, or the President of Common Council, or their designee. The Mayor will report at least annually to all members of the Common Council on any complaints raised under this policy and the investigation and/or resolution of the same.

Upon conclusion of the initial screening, the Mayor, the President of the Common Council, or member of the Common Council, will decide whether to proceed with further investigation, or close the file. Any complaint involving (a) the existence of material inaccuracies in the city's financial reports, or (b) a defalcation, fraud, or other intentional misconduct with respect to its cash and/or other financial assets, accounting, auditing, reporting, or internal controls, will be reported promptly to the Mayor's Office, the President of the Common Council, or the State Board of Accounts, following the initial screening and any corrective action will be taken, as appropriate.

All submissions, inquiries, discussions, and documentation will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Documentation related to the investigation will be maintained in confidential files. Access to the confidential files will be restricted to the Mayor, the President of the Common Council, and the members of the Common Council, and their designated representatives. This is important in order to avoid damaging the reputations of persons suspected, but subsequently found innocent of wrongful misconduct and to protect the city from potential civil liability. All such confidential files will be maintained in accordance with the current Indiana Archives County and Local Retention Schedule.

All other complaints not relating to the accounting, auditing, or reporting of, or the internal controls practices and procedures relating to the city's funds will be handled pursuant to the current policies and procedures applicable to such matters.

Any employee found to have violated any item within this policy may be subject to disciplinary action, up to and including termination of employment, and legal action even if the individual does not directly benefit from the intended action.

Any employee who makes a complaint under this policy by means of allegations that prove not to be substantiated and which also prove to have been made maliciously, recklessly, or with foreknowledge

that the allegations were false will be subject to disciplinary action, up to and including termination of employment.

No Retaliation

The city will not retaliate or discriminate against any employee who lawfully provides information to federal or state authorities, or to the city regarding any conduct that the employee reasonably believes constitutes unlawful activity or who participates in, or otherwise assists with an administrative proceeding, judicial proceeding, or investigation by government agencies, the President of the Common Council, or members of the Common Council (collectively, the “Proceedings”).

Specifically, the city will not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against any employee in the terms and conditions of their employment because the employee participated in the proceedings. The city also respects its employees’ legal rights to refuse to engage in unlawful activities and will not take any type of disciplinary action against employees who refuse to engage in unlawful activities.

Employees seeking additional information about the guidelines of the whistleblower policy may contact the Human Resources Department.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM
ISSUE DATE: XX/XX/2026

The employee handbook describes important information about the City of Auburn and I understand that I should consult a Department Head, or the Human Resources Department regarding any questions not answered in the handbook. I have entered into my employment relationship with the City of Auburn voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the City of Auburn may terminate the employment-at-will relationship, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the City of Auburn's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Board of Public Works & Safety or Common Council of the city has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies and procedures contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____